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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 578/2016 & CM No.2378/2016 (u/S 151 CPC for Stay)
MUSTAJAB ALI Petitioner
Through : Mr. Sumeet Kaul and Mr. Rajiv
Kumar Dubey, Advs.
versus

NORTH DELHI MUNICIPAL
CORPORATION & ORS Respondents
Through : Mr. Mukesh Gupta, Standing Counsel
for NDMC/R-1 with Mr. Aakash
Goel, Adv.
Mr. S. K. Sethi, Adv. with Ms. Dolly
Sharma, Adv. for R-2.
Mr. S. D. Ansari, Adv. with Mr. M. I.
Ahmed, Adv. for R-3.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK
ORDER
% **15.02.2016**

On 4th February, 2016, learned counsel for the respondent no.1 had made a statement that unauthorized construction was already booked, inasmuch as demolition order was also passed, which was under challenge before the Appellate Tribunal. Learned counsel for respondent no.3 also made a categorical statement that no fresh construction was being made in the suit premises. However, petitioner insisted that fresh construction was going on. Accordingly, petitioner was directed to file an affidavit along

with latest photographs. Affidavit has not been filed. However three photographs have been produced, which do not reflect any construction activity at site. Learned counsel for the respondent no.1 submits that premises was inspected on 5th February, 2016 and no construction was noticed. He has produced four photographs in support of his contention.

In the above facts and circumstances, present petition has not been pressed and is disposed of. Miscellaneous application is disposed of as infructuous.

A.K. PATHAK, J.

FEBRUARY 15, 2016/dk