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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1750/2016

MAHESH KUMAR

..... Petitioner

Through : Mr. Pankaj Bagga, Adv.

versus

SOUTH DELHI MUNICIPAL
CORPORATION & ORS

..... Respondents

Through : Ms. Mini Pushkarna, Standing
Counsel for SDMC with Ms.
Anushruti, Adv. and with Mr. R. K.
Lavani, AE (B) CNZ, SDMC in
person.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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02.03.2016

By this writ petition under Article 226 of the Constitution of India, petitioner has prayed that the respondent nos.1 & 2 be directed to take action against the unauthorized construction being raised in property bearing no.54, Arjun Nagar, Kotla Mubarakpur, New Delhi. It is further prayed that the property be sealed and demolished.

Issue show cause notice to the respondent nos.1 & 2. Learned counsel for the respondent nos.1 & 2 accepts notice. Learned counsel for the respondents on instructions from Mr. R. K. Lavani, AE (B), submits that subject property has already been booked for unauthorized construction.

Demolition order has also been passed on 1st December, 2015. Sealing order has also been passed on 21st January, 2016.

It is further submitted that demolition action was fixed for 21st January, 2016 and 3rd February, 2016 but could not be carried out since adequate police force was not provided. Demolition action has been now fixed for 10th March, 2016. SHO PS Kotla Mubarakpur is directed to provide adequate police force to the respondent nos.1 & 2 on the date fixed for demolition and also on subsequent dates, till demolition action is completed by the respondent nos.1 & 2. Needless to add that unauthorized portion shall be completely demolished and the demolition order should not be cosmetic one. After demolishing the unauthorized structure, the respondent nos.1 & 2 shall also remove the *malwa* at the cost of the owner/occupier, in accordance with law.

Writ petition is disposed of in the above terms. Dasti.

A.K. PATHAK, J.

MARCH 02, 2016/dk