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

+ W.P.(C) 1966/2016

DHARAMPAL SINGH Petitioner

Through: Mr. S.K. Rai, Adv.

versus

MUNICIPAL CORPORATION OF DELHI & ORS..... Respondents

Through: Mr. Arvind Kr. Sharma, Standing
Counsel for R-1.

Mr. Rahul Sharma and Mr. Ankit
Roy, Advs. for R-2 with SI Sri Gopal,
P.S. Shakarpur.

Mr. Puneeth K.G. and Mr. Deepak
Pathak, Advs. for R-3.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **08.03.2016**

By this writ petition under Article 226 of the Constitution of India, petitioner has prayed that respondent nos. 1 to 4 be directed to stop the illegal and dangerous construction. Counsel for respondent nos. 1 and 2 has entered appearance on advance notice. Counsel for respondent no.1 submits that the property bearing no. 9/320-9/321, Lalita Park, Laxmi Nagar, Delhi was inspected on 7th March, 2016 by the area Junior Engineer and unauthorised construction was noticed in the said property. Entire construction has been booked which comprises of stilt floor, ground floor, first floor, second floor and third floor vide File No. 34/B/UC/SS/15 dated

7th March, 2016. Show cause notice has already been issued to the owner/occupier. It is further submitted that petitioner's property 9/318, Lalita Park, Laxmi Nagar, Delhi was also inspected and it was noticed that the same was constructed without prior permission of respondent no.1, accordingly, said property has also been booked vide booking file No. 35/B/UC/SS/15.

Petitioner himself has violated the law and is not entitled to reliefs prayed. However, in my view, respondent no.1 is, otherwise, legally bound to take action against the unauthorised construction, in accordance with law. Action has already been initiated by the respondent no.1. Respondent no.1 shall take the actions, initiated by, to its logical end. Respondent no.1 shall take further steps in accordance with law against the unauthorised construction. Compliance report be filed within two months.

Writ petition is disposed of in the above terms.

A.K. PATHAK, J.

MARCH 08, 2016

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