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

+ W.P.(C) 2919/2016 & CM No.12203/2016

PANCH SHILA CO-OP. HOUSE
BUILDING SOCIETY LTD.

..... Petitioner

Through: Mr. Anil K. Aggarwal, Adv.

Versus

SOUTH DELHI MUNICIPAL
CORPORATION & ANR

..... Respondents

Through: Mr. Sanjeev Sabharwal, Standing
Counsel

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

04.04.2016

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1. This public interest petition has been filed alleging that the respondents No.1 and 2 have been permitting mixed or commercial use of residential premises/plots in Category-A Colony of Punchshila Park, New Delhi in contravention of MPD-2021. It is also alleged that in spite of the complaint made by the petitioner, the respondents No.1 and 2 had failed to take any action against the respondents No.3 and 4 who are proceeding to set up a Nursing Home in a residential premises.

2. Having heard Shri Anil K. Aggarwal, the learned counsel appearing for the petitioner and Shri Sanjeev Sabharwal, the learned Standing Counsel who accepted notice for the respondents No.1 and 2 and having regard to the nature of the controversy involved, we consider it appropriate to dispose of the writ petition with a direction to the respondents No.1 and 2 to treat this writ petition as a representation and take appropriate action following due

process of law regarding the alleged constructions, if any, contrary to law/MPD-2021 in the colony in question.

3. The petitioner is at liberty to institute fresh proceedings in case necessity thereof arises.

CHIEF JUSTICE

JAYANT NATH, J

APRIL 04, 2016/kks