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

+ W.P.(C) 3478/2016

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..... Petitioner

Through: Mr. Brijender S. Dhull, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION (SDMC) &

ANR

..... Respondents

Through: Ms. Puja Kalra, Adv. for R-1.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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18.05.2016

Petitioner has filed this writ petition praying therein that respondent no.1 be directed to demolish the illegal and unauthorised construction raised by respondent no.2 on Khasra No. 28, Village Saidulajaib, Main M.B. Raod, New Delhi – 110030 in accordance with law. According to the petitioner construction has been raised without sanctioned plan that too on an acquired land.

Learned counsel for respondent no.1, on instructions, submits that property in question has already been booked by the respondent no.1 for unauthorised construction under The Delhi Municipal Corporation Act, 1957 on 6th May, 2016, inasmuch as, demolition order has been passed today, that is, 18th May, 2016. She further submits that demolition action has been

fixed for today itself and SHO concerned has been requested to provide necessary assistance.

Since the action has already been initiated by the respondent no.1 in accordance with law, no further directions have to be given in this writ petition except that respondent no.1 shall take the action, initiated by it, to its logical end, in accordance with law. It is also clarified that demolition action as and when taken, shall not be cosmetic one, i.e, by puncturing the wall and roof, which is normal practice as is being noticed in several cases. The action shall be complete in all respect at the cost of the owner/builder/occupier and in accordance with law.

Writ petition is disposed of in the above terms.

A.K. PATHAK, J.

MAY 18, 2016

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