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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 4494/2016

MUSHARRAF HASAN

..... Petitioner

Through Ms. Shampa Chatterjee, Advocate

versus

EAST DELHI MUNICIPAL CORPORATION & ORS

..... Respondents

Through Ms. Monika Arora, Advocate for R-1
with Mr. Shrimandin , Executive
Engineer, Shahdra North Zone
Mr. Siddharth Dutta, Advocate for
R-2

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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18.05.2016

The petitioner has filed the instant writ petition praying therein that respondent nos. 1 & 2 be directed to immediately stop and demolish the illegal and unauthorised construction being raised in the property bearing no.760, Gali No.30 & 31/1, Khasra No.31, Indira Chowk, Jafrabad, Delhi- 110031.

Learned counsels for the respondent no. 1 & respondent no.2 have appeared on service of advance copy of paper book. Executive Engineer of respondent no.1 and SI Ashish Sharma are also present. Learned counsel for respondent no.1, on instructions submits that the subject property has already been booked on 17.02.2016 and show cause notice was issued. Thereafter, demolition order was passed on 15.03.2016. The show cause notice for sealing of the property was

issued on 16.03.2016. A letter was also written to the respondent no.2 for stopping the construction in as much as the property was partially demolished on 25.04.2016. It is submitted that action, in accordance with law, will be taken in due course.

SI Ashish Sharma states that no construction is going on in the subject property and this fact has been verified, even today.

Since, action has already been taken by the respondent no.1, in accordance with law, no further orders are required to be passed in this writ petition except that respondent no.1 shall take action initiated by it to its logical end. It is clarified that demolition action should not be a cosmetic one and is complete in all respects.

Respondent no.2 is directed to keep a strict vigil and ensure that no further construction takes place in the subject premises. Respondent no.2 is also directed to provide adequate police force to the respondent no.1, as and when the date(s) of demolition are notified.

This writ petition is disposed of in the above terms.

A.K. PATHAK, J

MAY 18, 2016/sm