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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4545/2016 & C.M. No.22438/2016**
JAI SINGH SHARMA

..... Petitioner

Through Mr.Rajat Aneja, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR

..... Respondents

Through Mr.Ajay Arora, Ms.Surbhi Gupta,
Ms.Diksha Lal and Mr. Kapil Dutta,
Advocates for SDMC.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **14.12.2016**

File taken up today as 12.12.2016 was declared holiday on account of Milad-UI-Nabi.

Status report of respondent no.1/SDMC is on record. The same has been perused. The petitioner is aggrieved by the in action on the part of the respondent Corporation. His submission was that the respondent Corporation was permitting the private respondent namely respondent no.2 to carry out illegal and unauthorized construction at property bearing No.128, Village Shahpur Jat, New Delhi which was against the bye laws of the Corporation. In the course of proceedings, the Court had directed that the property of the petitioner also be inspected which was almost adjacent to the aforementioned property. The property of the petitioner is bearing No.126, Village Shahpur Jat,

New Delhi. Both the properties have since been inspected. It is mentioned in the status report qua the property of the respondent that during the course of inspection it was revealed that certain unauthorized construction (in the shape of first floor, second and a portion of the third floor) has been carried out; the property was booked; show cause notice under Section 343 and 344 of the DMC Act was issued. A personal hearing was granted to the respondent on 15.7.2016. It is stated that further actions in accordance with law shall be initiated and taken to its logical end. Qua property no.126, Village Shahpur Jat, New Delhi which is the property of the petitioner, it is stated that on inspection, unauthorized construction in the shape of ground floor to fifth floor with temporary part of sixth floor was also found existing. This property was also booked on 17.6.2016. Show cause notices were issued to the owner/occupiers. Copy of which has been placed on record.

Learned counsel for respondent no.1 under instructions submits that all actions in accordance with the law shall be taken against both the parties and the actions shall be taken to their logical end. This statement of the Corporation is taken on record. It is hoped and expected that this statement shall be honoured in true letter and spirit.

No further orders are called for in this petition.

Petition disposed of.

INDERMEET KAUR, J

DECEMBER 14, 2016

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