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

+ W.P.(C) 4917/2016

RAGHU DUTT PANDEY

..... Petitioner

Through Mr. A.K.Tripathi, Advocate

versus

EAST DELHI MUNICIPAL CORPORATION AND ANR

..... Respondent

Through Ms. Monika Arora, Addl. Standing
Counsel

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **12.07.2016**

Respondent no. 1 / EDMC has placed on record a status report. It is stated that the property in question is No. B-86-91, New Ashok Nagar, Delhi was inspected by Junior Engineer on 06.07.2016 along with the Assistant Engineer. This property comprises of basement, ground floor and 1/3rd of first floor. The entire structure over the suit property is very old and occupied. No construction activity was found in progress nor any building material was found stacked at site. The suit property is stated to be falling under the unauthorized colony in New Ashok Nagar. The distinct construction of the suit property being very old is protected as per the provisions of the Delhi National Capital Territory (Special Act), 2014 and hence no punitive action can be taken on the above construction and it is enjoying the

protection upto December, 2017.

In view of the factual matrix noted above, counsel for the petitioner is not pressing this petition as the petitioner has already availed the remedy of filing the suit and in fact it has obtained an injunction order. He is at liberty to continue with the prosecution of that suit.

No further orders are called for in this petition.

Petition disposed of.

INDERMEET KAUR, J

JULY 12, 2016

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