

\$~18

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 5177/2016**  
**MOHD RAZI**

..... Petitioner

Through Mr. Nusrat Hossain, Adv.

versus

**S D M C AND ORS**

..... Respondents

Through Mr. V.P. S. Charma, Adv. for SDMC.  
Mr. S.D. Singh and Mr Rahul Singh,  
Advs. for R-2.  
Mr. Varun Nishcal, Adv. for R-3.

**CORAM:**  
**HON'BLE MS. JUSTICE INDERMEET KAUR**

**ORDER**

% **04.08.2016**

Learned counsel for appearing for respondent No. 1 submits that the next date fixed for the demolition of the aforementioned disputed property is 10.08.2016. Respondent No.3 will render assistance.

At this stage, learned counsel appearing for respondent No. 2 has put in appearance. He is a private respondent. He is stated to be the owner of the disputed property. His submission is that the petitioner is trying to vent out the personal grievance against the private respondent as inter-se disputes are already pending between the parties and a civil suit is also pending on the same issue. His further submission is that he is paying house-tax for the aforementioned property. Additional submission being that a sanction for structures made on the unauthorized colony is not required.

Learned counsel for respondent No. 1 submits that the order of demolition which has admittedly been received by respondent No. 2 is to be challenged before the appellate body which would be the ATMCD and the submission of the private respondent (respondent No. 2) cannot be considered by this Court and if he seeks a stay on the demolition, he must approach the appellate body.

This Court is in agreement with this submission of the learned counsel for respondent No.1. Permission is granted to the private respondent (respondent No.2) to approach the ATMCD in accordance with law.

Since the prayers made by the petitioner have been answered, nothing else survives in this petition. Petition disposed of. Action taken by respondent No.1 shall be informed to the petitioner.

Order dasti under signatures of the Court Master.

**INDERMEET KAUR, J**

**AUGUST 04, 2016**

**A**