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

+ **W.P.(C) 6340/2016**

R.L. CHOPRA

..... Petitioner

Through Mr. A. K. Singh and Mr. O.P.Singh,
Advocates

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS

..... Respondents

Through Counsel for respondent no. 1
(Appearance not given)

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **26.07.2016**

C.M. No.26005/2016

Exemption allowed subject to all just exceptions.

Application disposed of.

W.P.(C) 6340/2016 and C.M. No.26004/2016

Petitioner is aggrieved by the fact that the illegal and unauthorized construction has been permitted to be carried out by the private respondents on the first and second floor of premises no. 178-B, DDA LIG Flats, Rajouri Garden, New Delhi.

On the advance notice respondent no. 1 has put in appearance. It is submitted by learned counsel for the respondent that it is the petitioner himself who is guilty of malfide. Submission is that the petitioner is admittedly living on the ground floor and he himself has

given consent to carry out this construction on the first floor. Compromise has been arrived; in para 3 (b) of the aforementioned compromise it has been stated that one floor will be erected for the benefit of the petitioner. It is submitted by counsel for the respondent no. 1 that it is the petitioner who is himself perpetrating of this illegal construction and he cannot now come to the Court seeking any remedy.

Counsel for respondent no. 1 however submits that in case there is any deviation or illegal activity being carried out in the aforementioned property, the said property will be booked and action will be taken in accordance with law.

This submission of respondent no. 1 is noted.

In view of the aforementioned submission made by respondent no. 1 no further orders are called for in this petition.

Petition disposed of.

INDERMEET KAUR, J

JULY 26, 2016

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