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

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Date of Decision : 8th August, 2016

+ WP (C) 6501/2016

REMOVAL OF CORRUPTION & WELFARE
OF SOCIETY

.....Petitioner

Through : Mr. Sunny Srivastava Advocate.

Versus

GOVT. OF NCT & ORS.

...Respondents

Through: Mr. Anupam Srivastava, ASC with
Ms. Sharmistha Ghosh and Ms. Shreya
Mehta, Advocates for GNCTD/R-1.
Mr. Mukesh Gupta, Standing Counsel
for SDMC.
Mr. Arun Birbal, Advocate for DDA

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

MS. G.ROHINI, CHIEF JUSTICE (ORAL)

CM No. 26621/2016 (exemption)

Allowed, subject to all just exceptions.

WP (C) 6501/2016

1. The present petition is filed by the petitioner, a Society registered under the Societies Registration Act, 1860, by way of PIL seeking a direction to the respondents to stop and demolish the ongoing alleged unauthorized

construction on agricultural land in Shanti Kunj and Bhagwani Kunj, area of Vasant Kunj, New Delhi.

2. We have heard both the learned counsel for the parties and perused the material available record.

3. It is pleaded in the writ petition that the “unauthorized development” is being carried out by land mafia under gaze of statutory authorities like DDA & MCD that are constituted to prevent such activities and empowered to check. It is also alleged that the officers/personnel of such statutory authority/authorities have colluded with the land mafia.

4. The learned counsel for the petitioner contends that the “unauthorized development” is still going on and that the respondent No.2, to avoid any legal action against itself has merely taken some action, which is nothing but an eye wash.

5. The learned counsel for the petitioner further contends that the petitioner has filed various complaints and RTI applications with the respondent No.2, but no action has been taken till date.

6. Mr. Mukesh Gupta learned counsel for the respondent who appeared on advance notice submitted that the Corporation has received the complaint of the petitioners and appropriate action would be taken in accordance with law.

7. We have earlier disposed of W.P. (C) 921/2016 titled as ***Amarjeet Singh vs. South Delhi Municipal Corporation & Ors.*** directing the South Delhi Municipal Corporation to ensure that no unauthorised and illegal constructions are raised within the area of their jurisdiction.

8. Accordingly, we dispose of the writ petition with a direction to the respondents to treat this petition as a representation and to take appropriate

action following due process of law in case the allegations are found to be true. The action taken shall be communicated to the petitioner within six weeks from today. The petitioner is at liberty to file a fresh writ petition in case necessity thereof arises.

CHIEF JUSTICE

SANGITA DHINGRA SEHGAL J.

AUGUST 08, 2016/pmc