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

+ **W.P.(C) 6541/2016**

RACHNA SAHNI

..... Petitioner

Through: **Mr. Bahar U. Barqi, Adv.**

Versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS

..... Respondents

Through: **Mr. Nikhil Goel with Mr. Ashutosh Ghade, Advs. for SDMC.**

**Mr. Anupam Srivastava, ASC with
Ms. Sharmistha Ghosh, Adv. for R-4.**

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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29.07.2016

CM No.26807/2016 (*exemption*)

Allowed, subject to all just exceptions.

W.P.(C) No.6541/2016 & CM No.26806/2016 (*directions*)

1. This petition by way of PIL has been filed aggrieved by the inaction on the part of the respondent Nos.1 to 4 in considering the complaints of the petitioner about the unauthorized constructions allegedly being carried out by the respondent Nos.5 and 6 by encroaching on the public properties.

2. The material available on record substantiates the plea of the petitioner that the alleged unauthorized/illegal constructions by the

respondent Nos.5 and 6 have been brought to the notice of the respondent Nos.1 and 4 in the month of February itself and since then the petitioner has been pursuing the issue by making representations from time to time, the last being by way of legal notice dated 11.06.2016. The grievance of the petitioner is that the respondents failed to respond for the past more than six months.

3. In these circumstances, we consider it appropriate to direct the respondent Nos.1 to 4 (South Delhi Municipal Corporation as well as the Delhi Police) to consider the petitioner's complaints/representations particularly the notice dated 11.06.2016 and to take appropriate action following due process of law if the allegations are found to be true. The action taken shall be communicated to the petitioner within four weeks from the date of receipt of this order. The petitioner is at liberty to file a fresh writ petition in case the issues raised in this petition are not fully resolved.

4. The writ petition stands disposed of accordingly.

CHIEF JUSTICE

SANGITA DHINGRA SEHGAL, J

JULY 29, 2016
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