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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7306/2016 & C.M. No.30071/2016**
MOHD. IRFAN

..... Petitioner
Through Mr.Shampa Chatterjee, Advocate.

versus

NORTH DELHI MUNICIPAL CORPORATION & ORS

..... Respondents
Through Mr.Mukesh Gupta, Standing Counsel
for R-1.
Mr.Siddhartha Dutta, Advocate for
R-3

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **19.08.2016**

Petitioner is aggrieved by the fact that unauthorised and illegal construction has been permitted at property Nos.4374, 4375, 4376, 4377 and 4378, Ward No.VII, Mirza Ahmed Ali Marg, Shahganj, Ajmeri Gate, Delhi. This is in contravention of bye-laws and regulations of the DMC Act.

On advance notice, learned counsel for the North Delhi Municipal Corporation has put in appearance. His first submission is that this appears to be a private vendetta between the petitioner and private respondents i.e. respondent nos. 4 and 5. His submission is that cross FIRs have been lodged against one another and admittedly a civil suit is also pending inter se the parties. The fact that the civil suit inter se the parties is pending is admitted. The status of the

properties has been informed. Learned counsel for respondent no.1 on the instructions obtained from the Department informed this Court that there are two sets of the properties involved. The first set of the properties is 4374-4375. This property was booked on 21.5.2015; secondly it was booked on 03.8.2015; sealing action had been initiated on 11.9.2015. Qua the second set of properties which is property No.4376-4378 (ground floor, first floor and second floor) was booked on 21.5.2015 and secondly it was booked on 03.8.2015; sealing action was taken on 11.9.2015. These facts are noted.

At this stage, learned counsel for the petitioner submits that this is a cosmetic action which the Department is taking and no action has been perpetrated by the Department.

The Department will take all actions in accordance with law in true letter and spirit and the same shall be intimated to the petitioner.

No further orders are called for in this petition.

Petition disposed of.

INDERMEET KAUR, J

AUGUST 19, 2016

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