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

+ W.P.(C) 7805/2014

MOHD. ALI

..... Petitioner

Through : Mr. Satyapal Singh, Adv.

versus

NORTH DELHI MUNICIPAL

CORPORATION OF DELHI & ORS

..... Respondents

Through : Ms. Puja Kalra, Adv. for North MCD
along with Ex. Engineer (Bilding)
City Zone

Mr. Manoj Kumar, Adv. for
respondent nos. 3 and 4

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **23.03.2016**

Petitioner has prayed in this writ petition that respondent nos. 1 and 2 be directed to demolish the illegal and unauthorised construction in the property bearing no. 2049, Kali Masjid, Turkman Gate, Delhi. Respondent no. 1 has filed an affidavit of Shri Pushpender Kumar, Executive Engineer (B), City Zone. It is categorically stated in the affidavit that unauthorised construction in the form of 2nd and 3rd floors has already been booked under Sections 343 and 344 of the DMC Act, 1957, vide file no. 43/83/UC/EE(B)/CZ/2016 dated 12th February, 2016. Thereafter, a show

cause notice dated 12th February, 2016 was issued to the owner/builder. It is further stated that further action, in accordance with law, will be taken. During course of the hearing, learned counsel for the respondent no. 1 submits that demolition order has already been passed on 19th February, 2016. Counsel for the respondent nos. 3 and 4 submits that demolition has been challenged before the Appellate Tribunal, MCD. Since action has already been taken by the respondent no. 1 in respect of the unauthorised construction, no further orders are required to be passed in this writ petition. Writ petition is disposed of in the above terms.

A.K. PATHAK, J.

MARCH 23, 2016

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