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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3317/2015 & C.M. No.5937/2015**
MAHENDER KUMAR

..... Petitioner

Through Mr.Rupender Singh, Advocate.

versus

NORTH DELHI MUNICIPAL CORPORATION & ORS.

..... Respondents

Through Mr.Alok Bhachawat and Mr. S. Jeeva
Nandan, Advocate for R-3.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **05.08.2016**

The order dated 22.12.2015 had noted that there are 13 shops on the ground floor and 13 shops on the first floor. These shops belong to the private respondent i.e. respondent no.3. Further part of this order notes that the 13 shops on the first floor have since been demolished and the 13 shops on the ground floor are protected by the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011. The query which had been left upon was whether these shops on the ground floor are on Government land or on private land. An affidavit of the Executive Engineer, North Delhi Municipal Corporation has been filed which states that the unauthorized construction of the 13 shops are on private land and not on Government land. This affidavit further states that the unauthorized construction of 7 shops in the open space on ground floor had been

booked; show cause notice had been issued to the owners/occupiers; personal hearing had been granted on 08.4.2016; it has been concluded that this construction is unauthorized but the same is protected under the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 till 31.12.2017. The copy of the order dated 08.4.2016 has also been annexed.

In view of the aforementioned factual position which has emanated no further orders are called for in this petition.

Petition disposed of.

INDERMEET KAUR, J

AUGUST 05, 2016

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