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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7861/2016**
GURJEET SINGH

..... Petitioner

Through Mr.Rajat Aneja and Mr. Toyesh
Tewari, Advocates.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR.

..... Respondents

Through Ms.Puja Kalra, Advocate for SDMC.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **05.09.2016**

C.M. No.32518/2016 (exemption)

Exemption is allowed subject to just exceptions. Application disposed of.

W.P.(C) 7861/2016 & C.M. No.32517/2016 (stay)

Petitioner is aggrieved by the order dated 26.7.2016 wherein the Public Grievance Cell was of the view that the subject matter of the petition i.e. the roof top of the second floor of C-43A, Fateh Nagar, New Delhi be demolished and the Public Grievance Cell had directed the Corporation to monitor the progress in that case; it had fixed the next date as 14.9.2016.

Learned counsel for the petitioner submits that he was not a party before the Public Grievance Cell. He was not heard. That apart his submission is that a suit inter se the petitioner and the plaintiff

(owner and occupier of the first floor) is pending. Another submission brought to the notice of this Court is that pursuant to the demolition order having been passed qua roof top of the second floor of the property of C-43A, Block-C, Fateh Nagar, he had filed an appeal before the ATMCD which is now fixed for 03.11.2016. Since the order of the Public Grievance Cell was sought to be implemented by the enforcement agency; they had come to demolish his property on 29.8.2016 but the petitioner managed to ward them off on that date. He had forthwith moved an application before the ATMCD seeking interim relief which application was taken upon on next date i.e. 30.8.2016. Notice of this interim application has been given and the next date fixed is 16.9.2016.

No coercive steps be taken up to 16.9.2016 i.e. up to the date when the interim application of the petitioner is to be taken up for hearing or till the date the said interim application is disposed of.

Petition disposed of.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

SEPTEMBER 05, 2016

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