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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8230/2014 & CM APPL. 19136/2014

SUDESH VERMA

..... Petitioner

Through

Mr. Ashim Vachher, Advocate

versus

THE GOVERNMENT OF NCT
OF DELHI & ORS.

..... Respondents

Through

Mr. Santosh Kumar Tripathi, ASC
(Civil) for R-1.Mr. Pawan Mathur, Standing Counsel
with Mr. Raghav Sabharwal,
Advocate for DDA.

Ms. Puja Kalra, Advocate for R-3.

CORAM:**HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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18.01.2016

Present writ petition has been filed seeking a direction to respondents to carry out demarcation of the plots bearing no. C-43 to C-52, Mansarovar Garden, New Delhi as well as to demolish unauthorised construction in property bearing no. C-49, Mansarovar Garden, New Delhi .

Respondent no. 2-DDA has filed a counter-affidavit stating that the area in question has been handed over to North DMC, which has approved the demarcation plan.

North DMC in its counter-affidavit states that there exists no property bearing no. 49, Mansarover Garden, New Delhi. It is further stated that as per the copy of the lay out plan maintained by the Town Planning Department, no plot bearing no. C-49, Mansarover Garden, New Delhi has been shown in the site plan.

It is also stated in the counter-affidavit that as per site inspection there is no encroachment on the government/public land in gali/road where C-49 plot is alleged to exist.

As the petitioner relies upon the registered Sale Deed and two site plans which do not mention any plot bearing C-49, Mansarover Garden, New Delhi, this Court is of the view that the present writ petition raises disputed questions of fact which cannot be adjudicated in the present proceedings.

Accordingly, present writ petition and application are dismissed. However, petitioner is given liberty to agitate its grievance before the appropriate forum in accordance with law.

MANMOHAN, J

JANUARY 18, 2016

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