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

+ W.P.(C) 10743/2016

RAJBIR SINGH Petitioner

Through: Mr. S.S. Dahiya, Adv.

versus

DELHI CANTONMENT BOARD & ORS Respondents

Through: Mr. Anchit Sharma with Mr. Tarveen
Singh Nanda and Ms. Satamita Ghosh, Adv. for
R-1

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **11.11.2016**

CM Appl. 42032/2016

Exemption allowed, subject to just exceptions.

W.P.(C) 10743/2016

The present writ petition has been filed seeking demolition of unauthorised and illegal construction that has been carried out by respondent no 2 on the first floor of property bearing no. T-38, Near Park, Village Old Nangal, Delhi Cantt., New Delhi.

Learned counsel for the petitioner states that respondent no. 2 upon pleading guilty, has already been convicted under Section 247 of the Cantonment Act vide order dated 20th April, 2012 passed by the Metropolitan Magistrate, Dwarka Courts, Delhi in CC No. 1099/1/11. He, however states that no demolition action has been taken by

respondent no. 1 till date despite demolition cost having been deposited by respondent No. 2. He lastly states that the said construction is on a public street and is causing hindrance and inconvenience to the petitioner as well as other inhabitants of the locality.

Keeping in view the aforesaid, the present writ petition is disposed of with a direction to respondent No. 1-Board to treat the writ petition as a representation and to dispose of the same in its next meeting. This Court directs respondent No. 1 to decide the said representation not later than four months from today. A copy of the order disposing of the representation shall be communicated to the petitioner as well as respondent No. 2 by registered AD post.

MANMOHAN, J

NOVEMBER 11, 2016
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