

\$~37

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10449/2016**

SUNIL KUMAR Petitioner
Through Counsel for petitioner (appearance not
given).
versus

GOVT OF NCT DELHI AND ANR Respondents
Through Mr.Varun Nischal, Advocate for
GNCTD.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **04.11.2016**
C.M. Nos.40975/2016 (exemption)

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

W.P.(C) 10449/2016 & C.M. No.40976/2016

Petitioner is aggrieved by two orders passed by the respondent. The first order is the order dated 30.4.2016 and the second order is dated 20.5.2016. Vide order dated 20.5.2016 the SDM, Alipur had noted that as per the report of the Patwari certain unauthorized construction was being carried out in Khasra no.18/19, Min ((1-0) Village Bakoli, Delhi; this would raise serious issues and the building being unsafe could even collapse. An order of sealing was passed. The grievance of the petitioner that he has not been heard before this order was passed. His further submission is that on the restraint order (02.5.2016) passed a notice had been issued to the petitioner for 12.5.2016. The order dated 12.5.2016 reflects that on that date the

matter has been adjourned to 04.8.2016. Contention of the petitioner is that without awaiting the reply of the petitioner against the notice dated 30.4.2016, in this intervening period, the order dated 20.5.2016 had been passed; this was without hearing the petitioner.

Counsel for the respondent on advance notice has put in appearance. His submission is that proceedings under Section 81 of the Delhi Land Reforms Act are pending against the petitioner and the next date fixed is 12.01.2017.

The grievance of the petitioner shall be answered and the reply filed by the petitioner shall be considered by the SDM in accordance with law. Till 12.01.2017 no coercive steps be taken.

This Court also notes the submission of the petitioner that he is not raising any construction; he was only carrying out annual maintenance repairs.

Status quo of the property shall be maintained till the next date.
Petition disposed of in the above terms.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

NOVEMBER 04, 2016
ndn