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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10456/2016**
SAHIL CHHABRA

..... Petitioner

Through Mr.Rakesh Kumar, Advocate.

versus

NORTH DELHI MUNICIPAL CORPORATION

..... Respondent

Through Mr.G.D.Mishra, Advocate

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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04.11.2016

C.M. Nos.40990/2016 (exemption)

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

W.P.(C) 10456/2016 & C.M. Nos.40991/2016

Petitioner is aggrieved by the show cause notice dated 10.11.2014, demolition order dated 20.11.2014 and the sealing order dated 21.11.2014 passed by the Competent Authority qua his property i.e. plot bearing no.73 and 74, part of Khasra No.507 situated in Lal Dora of Village Burari, Delhi.

On advance notice, learned counsel for respondent has put in appearance. His submission is that this Court is not the correct Forum and the petitioner has alternate remedy before the ATMCD. His additional submission being that period of limitation has expired that is

why the petitioner has approached this Court. This Court notes the submission of the learned counsel for the respondent.

Learned counsel for the petitioner submits that the aforementioned orders were not communicated to the petitioner but had been sent to one Mr.Vineet who was not the owner of the property. On this issue learned counsel for respondent submits that these communications/notices were issued to the occupier/owner and Mr.Vineet was in occupation of the plot in the ground floor and the constructions which are now being raised from ground floor to third floor are illegal

The petitioner has alternate efficacious remedy against the sealing and demolition orders to assail the same before the appropriate Forum i.e. ATMCD.

Petition disposed of in the above terms.

INDERMEET KAUR, J

NOVEMBER 04, 2016
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