

\$~17

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10920/2016 & C.M. No.42749/2016**
HARJEET SINGH MENDIRATTA

..... Petitioner

Through Ms.Kalpana, Advocate

versus

MUNICIPAL CORPORATION OF DELHI (SOUTH) & ORS

..... Respondents

Through Ms.Pooja Kalra, Advocate for
SDMC/R-1.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

%

18.11.2016

Petitioner is aggrieved by the illegal and unauthorized activity which is being permitted to respondent nos.4 and 5 at the behest of the statutory body. This is in property bearing No.G-23, Triveni Commercial Complex, Sheikh Sarai, Phase-I, New Delhi.

At the outset learned counsel for respondent no.1 (who has put in appearance) submits that this is largely a private dispute and this is clear from the averments made in the petition. Paras 4 and 8 of the petition have been highlighted. This Court is in agreement with the submission of the learned counsel for respondent.

Be that as it may, the statutory body duty on the part of the respondent cannot be veiled.

At this stage, learned counsel for respondent no.1 submits that this property was inspected and as per her instructions there was no

construction activity going on and there is nothing illegal in the property and there was no construction material stacked at the site as is the submission of the petitioner. Further submission is that the shutter of the property is closed and if any illegal activity is being carrying out inside the shop the same cannot be known to the respondent unless the property is inspected.

The respondent shall accordingly inspect the property and ensure that there nothing illegal is carried out in the aforementioned shop. It must be according strictly to the bye-laws of the Corporation. The submission of the learned counsel for respondent that all untoward illegal activities will be removed in accordance with law is noted and taken on record. It is hoped and expected that this commitment of the respondent shall be fulfilled in true letter and spirit.

Petition disposed of.

INDERMEET KAUR, J

NOVEMBER 18, 2016
ndn