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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10799/2016**
LAXMI DEVI

..... Petitioner

Through Mr.D.K.Gola, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR

..... Respondents

Through Mr.Rajan Tyagi, Addl. Standing
Counsel with Mr. Vijay Pal, A.E.
(Bld.) for SDMC/R-1.
Mr.Rishikesh Kumar, ASC for R-2.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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17.11.2016

C.M. No.42271/2016 (exemption)

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

W.P.(C) 10799/2016 & C.M. No.42270/2016

Petitioner is aggrieved by the alleged illegal and unauthorized construction being made in property No.67, Katawaria Sarai, New Delhi adjacent to house No.F-99, Village Katwaria Sarai, New Delhi. It is submitted that this alleged illegal construction is in violation of all the bye-laws of the DMC Act.

On advance notice, learned counsel for respondent has put in appearance. He has filed a status report. His submission is that this

appears to be largely a private dispute inter se the parties. The petitioner before this Court is the mother of the private respondent and the alleged illegal construction is being carried out in the house of her son. This fact is admitted. It is also admitted by the petitioner that a civil suit had been filed inter se the parties in which the husband of the petitioner obtained a decree of permanent injunction against her son.

Be that as it may, the status report filed by the respondent evidences that this property was booked on 01.11.2016. A show cause notice has also been issued to the owner/builder. Letter dated 11.11.2016 under Section 344 of the DMC Act has also been sent to the concerned SHO with a request that the unauthorized construction should be stopped with immediate effect. The status report further states that further action in accordance with law shall be taken. This statement of the respondent is taken on record. It is hoped and expected that this undertaking of the respondent shall be complied with in true letter and spirit.

No further orders are called for in this petition.

Petition disposed of.

INDERMEET KAUR, J

NOVEMBER 17, 2016

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