

\$~12

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11407/2016**
MAHESH KUMAR

..... Petitioner

Through Mr. Rajpal Kasana and Mr. Shaheen
Sheikh, Advocates

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS

..... Respondents

Through Mr. Roshan Lal Goel and Mr. Anju
Gupta, Advocates for SDMC / R-1
and R-2

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

%

06.12.2016

Petitioner is aggrieved by the illegal and unauthorized construction which is being permitted to be carried out on the second and third floor of the property bearing no. 29, Defence Colony Market, New Delhi. His submission is that besides the unauthorized construction this is a case where the property has been sealed and thereafter there has been tempering of the seal. No action has been taken by the statutory bodies.

On advance notice counsel for SDMC / respondents no. 1 and 2 have put in appearance. Her submission is that the demolition orders qua this property were passed way back in the year 2014 and part demolition has in fact been carried out in January, 2015. The property has been sealed on 28.04.2015. Thereafter there was a tempering of

the seal and the property was desealed illegally. Efforts to reseal the property in July, 2016 failed as police assistance could not be obtained by the Department. It is additionally pointed out that ATMCD on 18.10.2016 has passed status quo order qua the afore noted property. Additionally counsel for the respondent submits that as and when the order is passed by the ATMCD modifying the status quo order, all actions in accordance with law shall be taken by the respondent no. 1. This submission of respondent no. 1 is taken on record and it is hoped and expected that this shall be honoured in true letter and spirit.

No further orders are called for in this petition.

Disposed of.

INDERMEET KAUR, J

DECEMBER 06, 2016

gb