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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 8623/2015**

ANIL KUMAR BANSAL

..... Petitioner

Through Mr.D.S.Vohra, Advocate.

versus

GOVERNMENT OF NCT OF DELHI & ORS

..... Respondents

Through Mr.Naushad Ahmed Khan,
Addl.Standing Counsel along with
Ms.Astha Nigam and Ms.Neelam
Kholiya, Advocates for GNCTD
Mr.Mukesh Gupta, Standing Counsel
for North DMC.
Mr.Pramesh for Mr.Jain Mohan,
Advocate for R-4.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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02.09.2016

Petitioner is aggrieved by the order dated 12.01.2004 which had been passed by the Assistant Engineer of the MCD by which certain portions of the property of respondent no.4 i.e. the property at 24, Sri Ram Road, Civil Lines, Delhi was directed to be demolished.

This writ petition has been filed in the year 2015 assailing the order passed on 12.01.2004 by the Assistant Engineer. Admittedly, the demolition order has been issued qua the property of respondent no.4. Learned counsel for petitioner has been queried as to how he has been affected. His submission is that he is a citizen of Delhi and

an illegal order (as is argued qua order dated 12.01.2004) having been passed by relying upon a copy of the map of the year 1961 which had not seen the light of the day till that time was illegal and this is thus liable to be set aside.

This Court notes this submission. This Court also notes that the petitioner is seeking liberty to assail this order after a period of 11 years. This Court also notes that there is no direct effect of the order dated 12.01.2004 qua the petitioner except his submission that he being a citizen of Delhi is aggrieved by the illegality of the said order. Learned counsel for the petitioner at this stage candidly admits that he has filed a suit for partition qua this property against respondent no.4 which is pending. At this juncture, learned counsel for respondent no.1 submits that this by itself evidences the fact that this appears to be a private dispute between the petitioner and respondent no.4.

Be that as it may, at this stage on the submission of the learned counsel for the petitioner this petition is dismissed as withdrawn with liberty granted to the petitioner to take appropriate remedy, , if any, as is permitted by law.

Petition disposed of in the above terms.

INDERMEET KAUR, J

SEPTEMBER 02, 2016
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