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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8554/2015

RAJESH JAIN

..... Petitioner

Through Mr. Nitin Gupta, Advocate

versus

NORTH DELHI MUNICIPAL CORPORATION & ORS

..... Respondents

Through Ms. Monika Arora, Standing Counsel
for R-1
Mr. Siddharth Bambha, Advocate for
R-3

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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02.11.2016

Status report dated 11.02.2015 filed by the respondent is part of the record. Admittedly shop no. 36A was an encroached shop. This has since been removed and demolished on 08.10.2011. The stand of the respondent / NDMC in para 5 of their status report / affidavit is clear. It states that the original allotted size of shop no. 36 was 7 feet. However encroachment had been made by the owner of shop no. 36. He had made an encroachment by 1 foot and 6 inches in addition to 7 feet. Size of shop had increased to 8 feet and 6 inches. He had made two shops i.e. shop no. 36 and shop no. 36A. Shop no. 36A has since been demolished. This is an admitted position. The further stand of the Corporation in para 7 and 8 is that as on date shop no. 36 is in its original allotted width i.e. 7 feet and there is no encroachment in the

Gali Kucha Chaudhary, Chandni Chowk, Delhi. The site plan filed along with the petition has clarified the position. It has clarified that the lined portion (which was the encroached area of shop no. 36A) has since been removed and thus the size of shop no. 36 has come back to its original size which is 7 feet. This is categorically stated by respondent / Corporation in its status report. This status report has been signed by the Executive Engineer, Assistant Engineer and Junior Engineer. The facts noted in the status report are taken on record.

Nothing survives in this petition.

Petition disposed of.

INDERMEET KAUR, J

NOVEMBER 02, 2016

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