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

+ **W.P.(C) 1577/2017**

**SHRI RISHI SEHDEV**

..... Petitioner

Through

Ms.Neelam Rathore, Advocate.

versus

**SOUTH DELHI MUNICIPAL CORPORATION & ORS**

..... Respondents

Through

Ms.Reema Khorana, ASC for SDMC.  
Mr.Arun Kumar Panwar for Mr.  
Raman Duggal, Standing Counsel for  
GNCTD with SI Pratap Singh for R-5  
and R-6.

**CORAM:**

**HON'BLE MS. JUSTICE INDERMEET KAUR**

**ORDER**

% **22.02.2017**

**C.M. No.7113/2017 (exemption)**

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

**W.P.(C) 1577/2017 & C.M. No.7112/2017**

Petitioner is aggrieved by two letters i.e. the letters dated 25.11.2016 and 03.01.2017 issued by the respondent Corporation; the first relates to the rejection of the regularization of the first and the second floor of the property of the petitioner i.e. the property bearing No.D-70, Anand Niketan, New Delhi. The second letter refuses to grant a sanction qua the third floor of the aforementioned property. Contention of the petitioner is that the respondent Corporation has not passed a speaking order and she is wholly unaware as to what are the structural changes/columns which have been raised by the petitioner; her submission is that no such construction activity has been carried out by the petitioner. That apart the respondent has also not detailed

as to where this construction has been carried out; whether it is on the first or second floor. A perusal of the order dated 03.01.2017 substantiates the submission of the petitioner; these are three line communication/orders without any detail.

Mr.Naresh Bhardwaj, Assistant Engineer of the respondent Department (present in Court) he has been queried. His submission is that he along with another Junior Engineer had gone for inspection of the site and these columns have been raised on the second floor of the property. Petitioner contends that in this view of the matter, the first floor appears to be hurdle free.

That apart learned counsel for respondent, at this stage, makes a submission which is to the effect that a speaking order shall be passed by the Department and the same shall be communicated to the petitioner within a period of two weeks whereupon the petitioner if he so desire may take appropriate legal remedy. While passing a speaking order, the representation of the petitioner dated 19.12.2016 shall also be considered and answered as the perusal of the response given by the Department shows that this representation does not appear to have been considered by the Department.

With these directions petition is disposed of.

Order dasti under signatures of the Court Master.

**INDERMEET KAUR, J**

**FEBRUARY 22, 2017**

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