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

+ W.P.(C) 3353/2017

PARAMJEET SINGH Petitioner
Through Mr. Sunny Srivastava, Adv.

versus

DEPUTY COMMISSIONER, S.D.M.C. & ORS Respondents
Through Ms. Puja Kalra, Adv. for SDMC.
Mr. Vedant Singh, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **17.08.2017**

In the instant writ petition, the petitioner alleges unauthorized construction in respect of properties bearing no. B-2, Bhawani Kunj, Sector-D, Pkt-2, adjacent Anand Super Mart, Vasant Kunj, New Delhi; RZ-9, Bhawani Kunj, Sector-D, Pkt-2, adjacent H. No. RZ-10, Vasant Kunj, New Delhi; and, plot no. A-9, Khadda Colony, Shanti Kunj, Vasant Kunj, New Delhi. The status report by way of an affidavit however, reveals that the actions in respect of the subject three properties, had come to be initiated much earlier to the filing of the writ petition. Property no. B-2, Bhawani Kunj, Sector-D, Pkt-2, adjacent Anand Super Mart, Vasant Kunj, New Delhi is said to have been booked on 27.6.2016 and the proceedings culminating upto the

sealing stage as on 4.1.2017. Property no. RZ-9, Bhawani Kunj, Sector-D, Pkt-2, adjacent H. No. RZ-10, Vasant Kunj, New Delhi is said to have been booked on 27.6.2016 and 22.12.2016 and the demolition order passed on 5.7.2016 and 29.12.2016 culminated into the sealing order passed on 1.9.2016 and part demolition action taken on 4.1.2017. As for property being plot no. A-9, Khadda Colony, Shanti Kunj, Vasant Kunj, New Delhi, the properties were booked on 29.9.2015 and 8.12.2015 and the demolition/sealing actions taken on the diverse dates.

In the given factual conspectus, what prompted the petitioner to file instant writ petition on 8.2.2017, remains a mystery . Is it an action with ulterior motive? Apparently, it appears to be so. Had the petition been filed bonafidely, such factual aspects could not have been ignored. Be that as it may, the petitioner at least should have taken caution to have the necessary details by filing RTI application(s) or other modes and come to the Court with actual facts. Bonafide of the petitioner was doubted at the very inception inasmuch as, vide order dated 21.4.2017, the petitioner was directed to file an affidavit giving the particulars of the members of the society, their occupation, number of cases initiated by them and so on and the matter is still at the admission stage. Certainly, the instant petition has taken the valuable time of this Court, in a matter, which really did not require any intervention by this Court, at least, at this stage.

Keeping in view the totality of the facts and circumstances, the instant petition is dismissed with costs of Rs.1,00,000/- (Rupees one

Lakh) to be deposited with DHCLSC, to be recovered as land revenue, in the event, the cost does not come to be deposited within one month from today.

A. K. CHAWLA, J

AUGUST 17, 2017

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