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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2013/2017

NAND RAM

..... Petitioner

Through Mr.Dhruv Grover, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS

..... Respondents

Through Mr.Rajan Tyagi, ASC and Ms.Saroj Bidawat, with Mr.Arun Sharma, Advocate for R-1/SDMC.
Mr.Shubham Karnwal for Mr. Gursharan Singh, Advocate for R-2.
Mr.Sanjeev Anand and Ms.Renu Kuher, Advocate for R-3.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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06.03.2017

Petitioner appears to be aggrieved by the illegal and unauthorized construction which is being carried out in plot No.153, New Manglapur, Mehrauli, M.G.Road, New Delhi.

Learned counsel appearing for respondent no.1/SDMC points out that in an earlier petition {WP (C) 1716/2017} (premised on the same submission) had been disposed of on 27.02.2017. Attention has been drawn to the order passed by this Court on 27.02.2017 in the said Writ Petition which has been annexed as Annexure P-1. This Court notes this submission of the learned counsel for respondent no.1. Stand of respondent no.1 was that a show cause notice under

Section 338 of the DMC Act had been issued to the private respondent (respondent no.3). Learned counsel for respondent no.1 points out that pursuant to this show cause notice a representation has been received from respondent no.3 just two days ago. It has in fact not reached the concerned Section in the Department; the same shall be answered in accordance with law.

In the order dated 27.02.2017, the Court had noted the commitment of respondent no.1 to take all actions against this show cause notice to its ultimate goal. Learned counsel for respondent no.1 rightly points out that stage has not come to file this writ petition; this petition is premature. This submission of respondent no.1 is endorsed.

It is reiterated that all actions in accordance which have been initiated pursuant to the show cause notice under Section 338 of the DMC Act shall be completed. The submission of the learned counsel for petitioner that illegal and rampant construction is still being carried out by the respondent no.3 shall also be addressed by respondent no.1 and the action taken shall be intimated to the petitioner.

Petition disposed of in the above terms.

INDERMEET KAUR, J

MARCH 06, 2017

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