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

+ **W.P.(C) 2253/2017**

RAKESH KUMAR SHARMA Petitioner
Through **Mr. Vishesh Wadhwa, Adv.**

versus

DELHI DEVELOPMENT AUTHORITY & ORS Respondents
Through **Mr. Yudhister Sharma, Adv.for DDA.**
Mr. Jagdish Sagar, Adv,for R-2 &R-3

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **27.09.2017**

Petitioner approaches this Court alleging unauthorized construction being carried out in flat no. 178, 2nd Floor, DDA Janta Flat, Vasant Gaon, Vasant Apartment, New Delhi. In the latest status report dated 25.9.2017, respondent-SDMC has stated, as under ;

“7. That it is also relevant to point out that on being aggrieved of the aforesaid demolition order the owner/occupier has challenged the same before Hon’ble AT MCD vide appeal bearing No. 492/2017 but since the Hon’ble Tribunal has not granted any stay, pursuant to aforesaid demolition/sealing orders, the department has also taken sealing/demolition action vide dated 18/08/2017 in respect of the property in question and upon availability of police force, demolished and cut Two RCC roof slab panels by cutting out reinforcement with the help of gas cutter at Fourth floor roof and also demolished partition walls at Fourth floor. Besides after said demolition action the property in question was also sealed at one point at main entry of room at Fourth floor and one point at Third floor. The photographs of the action as taken in this regard are annexed herewith as Anneuxre-C (Colly).”

In view of the foregoing, when the action(s) have come to be taken on the part of the respondent no.1 and the owner/builder has approached AT, MCD for assailing the action(s) attributable to respondent no.1, nothing survives in the instant petition and the same is disposed off accordingly.

A. K. CHAWLA, J

SEPTEMBER 27, 2017

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