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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 2871/2017
M/S ANJNEY LOYS PVT LTD Petitioner
Through Ms.Radhika Chandrashekhar and Mr.
Ratan Lal Goel Advocates.
versus
NORTH DELHI MUNICIPAL CORPORATION Respondent
Through Ms.Mansi Gupta, Adv. for R-1.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **29.03.2017**
C.M. No.12566/2017 (exemption)

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

W.P.(C) 2871/2017 & C.M. C.M.No.12565/2017

Petitioner is aggrieved by the fact that although he was only carrying on certain repairs/alterations in his property (bearing No.9, Rajpur Road, Delhi), the respondent Corporation on 23.02.2017 came to give a work stop notice to the petitioner; he was not allowed to undertake any further alteration. The contention of the petitioner is that he is the owner of the property. This property had changed hands over the years. He has a sanctioned plan with him and same had also been submitted to the Department; the respondent Corporation had also been intimated of his proposal to carry out certain repairs in his property. In spite of this communication they tried to intervene and stop the petitioner to carry out his work programme on 23.02.2017. This is the grievance of the petitioner.

On advance notice, learned counsel for respondent no.1/South Delhi Municipal Corporation has put in appearance. Her submission is that the petitioner without a sanction plan cannot carry out any alterations or corrections in his property; the only alterations which are permitted to the petitioner are in terms of the bye-laws of the Corporation and in terms of the MPD-2021.

Learned counsel for petitioner at this stage submits that this petition can be disposed of treating this petition as a representation on behalf of the petitioner. It is ordered accordingly. This writ petition be treated as a representation. The Department shall answer the averments made in the petition in accordance with law and within an outer limit of 8 weeks from the date of the formal receipt of the representation. The grievance of the petitioner that he should be permitted to carry out alternation in his property shall also be addressed specifically. Along with the representation all the necessary documents as are required i.e. sanctioned plan (which is the best available with him) and mandated by the Corporation shall also be submitted.

No further orders are called for in this petition.

Petition disposed of.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

MARCH 29, 2017

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