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

+ W.P.(C) 5657/2016 & C.M. No.23441/2016

SHAILA DEVI

..... Petitioner

Through None.

Versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS

..... Respondents

Through Mr.Rajan Tyagi, ASC with Mr. Yashwant Kumar, A.E. for R-1/SDMC.

Mr.Sanjeev Sabharwal Standing Counsel with Mr. Hem Kumar, Advocate for DDA and Mr. Ravinder Singh A.E.

Mr.Dhruv Mohan and Mr.Birender Bikram, Advocates for R-3.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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09.03.2017

Petitioner is not present at the second call. At the first call a pass over had been sought on behalf of the respondents.

Petitioner is aggrieved by the illegal and unauthorized constructions permitted to respondent no.3 at Flat No.07, LIG, First Floor, Pul Pehlad Pur, New Delhi. He has approached the concerned authorities time and again and his grievance has not yet been

addressed. On the last date a direction had been given to the respondent no.2/DDA as the stand of the respondent no.1/SDMC was that it is the DDA who has to carry out the enforcement, if any, qua this property. This Court had noted the contrary contentions of the statutory bodies i.e. of the SDMC and the DDA. They had been directed to obtain instructions in this regard. Today it has been informed to the Court by the DDA that it would a joint action which would be taken both by DDA and the SDMC together. This Court notes that on an earlier date a demolition programme qua this flat had been fixed for 28.5.2010. Learned counsel appearing for DDA submits that a fresh inspection shall be carried out; illegal deviations, if any, shall be booked and further action in accordance with law will be completed and taken to its ultimate goal. This stand of respondent no.2/DDA coupled with the endorsement made by the learned counsel appearing for respondent no.1/SDMC is taken on record. It is hoped and expected that this commitment of the respondents shall be honoured in true letter and spirit.

Counsel for respondent no.3 submits that he will be moving an appropriate application before the statutory authorities (who at present would be DDA) seeking regularization of this property. This liberty is granted to him and this application shall be answered in accordance with law. All action taken qua this property shall be completed within an outer limit of 10 weeks from today.

Learned counsel for respondent no.2/DDA points out that property of the petitioner also appears to have certain illegal deviation; actions will be taken in accordance with law. Police

assistance shall be given to the statutory authorities as and when desired.

Petition disposed of.

INDERMEET KAUR, J

MARCH 09, 2017
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