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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8773/2011 & C.M. No.3709/2013

VINAY KUMAR WALIA

..... Petitioner

Through Mr. Abhas Kumar, Adv.

versus

DDA AND ORS

..... Respondents

Through Ms. Shobhana Takiar and Mr. Udayan
Khandelwal, Advs for the DDA.
Ms. Sweety Singh, Adv for GNCTD.
Mr. Anil Hooda and Mr. Ankit Gupta,
Advs for R-7.
Ms. Surbhi Gupta for Mr. Ajay Arora,
Adv for the SDMC.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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17.01.2017

The status report of the respondent/South Delhi Municipal Corporation is taken on record.

This writ petition concerns four properties. Qua property No.F-327, village Lado Sarai, New Delhi, it is stated that property consists of ground floor, first floor, second floor and tin-shed at third floor. The property is old and occupied. It belongs to one Sh. Ved Prakash.

Qua property No. F-316/11, village Lado Sarai, it is stated that the property comprises of ground floor, first floor, second floor, third floor and two rooms and toilet at fourth floor. This property is old and occupied and belongs to Kiran Pal Singh.

Qua property No. F-316/12, it is stated that the property

comprises of ground floor, first floor, second floor, third floor, fourth floor and one room and toilet at fifth floor. Property is old and occupied and it belongs to one Jay Prakash.

Qua property No. F-22A, Village Lado Sarai, New Delhi, it is stated that the property comprises of ground floor, first floor, second floor, third floor and half portion at fourth floor. Property is old and occupied. It belongs to one Sh. Ajit Singh.

On 16.08.2016, the stand of the DDA in its status report had been noted. It had been noted that most of the constructions in all the aforementioned properties are old but certain new constructions have also been made. The DDA had stated that this land belongs to Gaon Sabha. Gaon Sabha had been directed to file its status report. This affidavit is dated 10.09.2012 wherein it is stated that the land in question was notified as an urban area on 05.10.1989 and as such the Revenue Department has no role to play in the matter. The area in question vests with the Municipal Corporation of Delhi.

On the same date, a report has been sought from the SDMC to inform the Court about the status of the alleged illegal and unauthorized construction in the aforementioned property which was the vehement contention of the petitioner. Learned counsel appearing for respondent No. 2 under instructions from the authorized representative of the Department (present in person) states that all these properties except property No. 327 are protected under the National Capital territory of Delhi Laws (Special Provisions) (Second Amendment) Act, 2014. Qua property No. F-327, the property has been booked and all actions in accordance with law shall be taken to

its logical end. This submission of the learned counsel for respondent/Corporation is taken on record. It is hoped and expected that this statement shall be honoured in true letter and spirit.

No further orders are called for in this petition. It is disposed of.

INDERMEET KAUR, J

JANUARY 17, 2017

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