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

+ W.P.(C) 3284/2017 & CM No.14318/2017

NANDRAM

..... Petitioner

Through: Mr. Sunil Mittal, Sr. Adv. with Mr.
Maldeep Sidhu and Mr. Dhruv
Grover, Advs.

versus

SOUTH DELHI MUNICIPAL
CORPORATION AND ORS

..... Respondents

Through: Mr. Pankaj Sinha, Adv.
Ms. Reeha Khorana, Adv. for
R1/SDMC with Mr. Manohar Lal,
AE, official from SDMC.
Mr. Sanjeev Anand, Ms. Renu Kuhar,
Mr. Nitin Khurana and Mr. Akshay
Kapoor, Advs.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **04.05.2017**

1. The petitioner is seeking direction to respondents No.1 and 2 to pass an appropriate order in respect of the showcause notice dated 22nd February, 2017 issued by them to respondent No.3.
2. Vide order dated 03rd May, 2017, South Delhi Municipal Corporation has revoked the acknowledgment under the Saral Scheme. Learned counsel for South Delhi Municipal Corporation has handed over the copy of the order dated 03rd May, 2017 which is taken on record. The concluding portion of order dated 03rd May, 2017 is reproduced hereunder:-

“Now, therefore, in exercise of powers vested in me under Section 338 of the DMC Act-1957, I, S.K. Singh, Deputy Commissioner-South Zone-South Delhi Municipal Corporation, for the aforementioned reasons, hereby revoke the acknowledgement under

SARAL SCHEME vide aforementioned file. The work, if carried out at site in pursuance of said acknowledgment, shall now be treated as unauthorized/illegal and is actionable as per DMC Act-1957 to be read with amended Act/applicable policy etc.”

3. Learned senior counsel for the petitioner submits that the respondent No.1 be directed to remove the unauthorised construction.
4. Learned counsel for respondent No.3 submits that respondent No.3 would avail appropriate legal remedies against the order dated 03rd May, 2017.
5. Learned senior counsel for the petitioner submits that respondent No.3 should implead the petitioner in the proceedings that may be initiated against the order dated 03rd May, 2017.
6. The petitioner does not press this writ petition in view of the order dated 03rd May, 2017 passed by South Delhi Municipal Corporation.
7. The petition is dismissed as withdrawn. South Delhi Municipal Corporation is at liberty to take appropriate action in respect of the unauthorised construction in accordance with the law. Respondent No.3 is at liberty to avail appropriate legal remedies available to him in accordance with the law in respect of the order dated 03rd May, 2017. The pending application is disposed of.
8. Copy of this order be given *dasti* to counsels for the parties under signature of Court Master.

J.R. MIDHA, J.

MAY 04, 2017
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