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

+ **W.P.(C) 3471/2017 and CM APPL. 27347/2017**

**AJAY BEHL**

..... Petitioner

Through

Mr. Sanjay Bansal, Advocate with  
petitioner in person

versus

**NORTH DELHI MUNICIPAL CORPORATION AND ANR**

..... Respondents

Through

Ms. Jyoti Taneja, Adv. for NDMC  
Mr. Sanjoy Ghose and Mr. Rhishabh  
Jetley, Advocates for R-2

**CORAM:**

**HON'BLE MR. JUSTICE A. K. CHAWLA**

**ORDER**

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**27.10.2017**

Petitioner approached this Court alleging unauthorised construction in properties bearing no. 73 and 74, Hakikat Nagar, Delhi.

In the status report dated 04.07.2017, the respondent no.1/NDMC has stated as under:-

**“4. That after rejection of the regularization application, demolition/sealing program was fixed on 16.06.17. During the action, remaining two shops and four small rooms/stores at ground floor, part of first floor and entire third floor were sealed. The first floor could not be sealed completely as a request has been received from the husband of the co-owner at site informing about the presence of a seriously ill female patient in the house. The copy of request letter is annexed herewith as Annexure “C”. The photographs of the action taken are annexed herewith and marked as Annexure “D”. Thus the entire ground floor, second floor, third floor and part**

of first floor have been sealed by the department.

5. That another program was fixed on 23.06.17 for the remaining portion on the first floor, but the action could not be taken as the co-owner of the first floor has handed over another request letter alongwith the photographs and medical papers of the patient with the request to grant atleast one month time to make arrangement for alternative accommodation and to vacate the premises in question. The copy of request letter with photographs of the patient provided by the husband of Co-owner of first floor are annexed herewith as Annexure "E" (Colly)."

Ms. Taneja, Id. counsel for respondent/NDMC, in addition to the status reported as above, submits that even the remaining part of the first floor has come to be sealed and further action was in contemplation, but, the owner/builder has assailed the sealing action before the AT, MCD and the appeals are pending.

In view of the afore-going action taken on behalf of the respondent/NDMC, nothing further survives in the instant petition. Petition is disposed off, accordingly. Should the petitioner have any further cause of action, petitioner would be at liberty to approach this Court afresh. It is made clear that any observation made by this Court in the instant proceedings shall have no bearing on the respective pleas of the parties before the AT, MCD.

**A. K. CHAWLA, J**

**OCTOBER 27, 2017**

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