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

+ **W.P.(C) 4267/2017**

NARENDER MALIK

..... Petitioner

Through

Mr. D.P. Singh and Ms. Toral
Banerjee, Advocates

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS

..... Respondents

Through

Mr. Rakesh Mittal, Standing Counsel
for SDMC with Mr. Kamlesh Anand
and Ms. Yamini Mittal, Advocates for
R-1 to R-3

Mr. Ashwini Kumar, Adv. for R-4&5
Ms. Shahana Farah, Mr. Rahul Dubey
and Ms. Vijaya Singh, Adv. for
DDA/R-6

Mr. Naushad Ahmed Khan, ASC
(Civil), GNCTD with Ms. Ritu
Kumari and Ms. Deepshikha Goyal,
Advocates for R-7

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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12.12.2017

Instant petition came to be filed alleging unauthorised construction and encroachment over public land in Khasra No.203 adjoining Barat Ghar, Village Masoodpur, Delhi. In the status report dated 10.10.2017 filed on behalf of the respondent-South Delhi Municipal Corporation, it has come to be stated as under:

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3. That in order to execute the demolition/sealing orders, the Building Department-II, South Zone, the demolition/sealing action as fixed for 12/07/2017 in respect of the property in question could not be materialized since the same found locked and accordingly on that day the demolition action was taken in respect of other property bearing No. C-2/2008, DDA Flat Vasant Kunj, New Delhi.

4. That it is further relevant to point out that on being aggrieved of the aforementioned demolition/sealing orders, the Owner/Occupier also preferred appeals bearing No.524/2017 and 525/2017 titled as “Sanjeev Malik & Anr. VS SDMC” before Hon’ble ATMCD. Vide its order dated 16/08/2017 the Hon’ble ATMCD has been pleased to grant status quo order in respect of the property in question, in terms of its order in this regard and further vide its order dated 21/09.2017, the said status quo order has now further been extended upto 24/11/2017 i.e. the next dated of hearing. The copy of the orders in this regard are annexed herewith as Annexure R-1/A (Colly).”

In view of the actions taken, and the fact that the matter is sub-judice before the statutory Authority i.e. AT, MCD, the petition does not survive any further, and is disposed off accordingly. Liberty is however, reserved to the petitioner to approach this Court afresh, if, a fresh cause of action arises.

A. K. CHAWLA, J

DECEMBER 12, 2017

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