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

+ **W.P.(C) 5185/2017 & CM APPL. 22108/2017**

JOGINDER SINGH TOKAS Petitioner
Through **Mr. Asfar Heyat Warsi, Adv.**

versus

GOVT OF NCT OF DELHI AND ORS Respondents
Through **Ms. Nidhi Raman, Adv. for R-1.**
Ms. Mansi Gupta, Adv. for SDMC/
R-2.
SI Rakesh Yadav, PS Vasant Vihar.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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29.08.2017

Petitioner approached this Court seeking writ of mandamus seeking directions to respondent nos. 1 and 2 for the alleged on going unauthorized and illegal construction in house no. 106, village Munirka, New Delhi and other surroundings. In the status report filed, no fresh construction is going on in the subject premise and that, only repairing of the wall was done, which got damaged due to old structure. Ld. counsel for the petitioner does not dispute the fact that but for repair of the wall, no fresh construction has come to be raised, but for the fact that he apprehends that some unauthorized construction would be raised. Any apprehension cannot be a basis of issuing any writ of mandamus, which would proceed on the

allegations of any action(s)/inaction(s) attributable to the respondent no.2. Petition is therefore, dismissed being without any cause of action.

A. K. CHAWLA, J

AUGUST 29, 2017

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