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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 9748/2016**
SAMINDER SINGH

..... Petitioner
Through Mr.Tushar Sinha, Mr.V.K.Pandey and
Mr.Rakesh Mishra, Advocates.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS

..... Respondents
Through Ms.Saroj Bidawat, Advocate for
SDMC.
Ms.Shreya Mehta for Mr. Rishikesh,
Adv. for R-2.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER
% **18.01.2017**

A status report has been filed by the SDMC.

This status report states that the unauthorized construction purported to have been raised by respondent no.3 in the name of Panchsheel Public School, Jaitpur upon the temple land of village Jaitpur in Zone-O was the subject matter of the demolition order dated 05.9.2016. A demolition programme was fixed and the SDMC has cut down three RCC roof panels at ground floor also removed brick walls. On 28.9.2016 a portion of the premises was also sealed. This statement of the respondent Corporation is taken on record. It is hoped and expected that the action as has been detailed in the aforementioned status report has been taken as a submission has been

made by learned counsel for petitioner that he is not sure whether an action has actually been taken in terms of the report or not.

Respondent no.3 is also present. He points out that the alleged encroachment is the subject matter of the order passed by the SDM, Sarita Vihar dated 26.9.2016 wherein the respondent no.3/Girish Vohra had been directed to vacate the unauthorized encroached portion in his possession which measures 105 sq. yards and hand over the possession of the same to the owners of Khasra No.77/2 of Village Jaitpur, New Delhi. He candidly admits before this Court that he is not the owner of Khasra no.77/2, Village Jaitpur, New Delhi. Additional submission being that against the order passed by the SDM, Sarita Vihar he has appealed before the Collector. He has made a submission that he is willing to give up this encroached land measuring 105 sq. yards if it falls in Khasra No.77/2, Village Jaitpur, New Delhi. This Court need not delve any further into this aspect of the matter as this is the subject matter of proceedings before the Revenue Authorities.

Stand of respondent-Corporation has been noted.

No further orders are called for in this petition.

Petition disposed of.

INDERMEET KAUR, J

JANUARY 18, 2017

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