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

+ W.P.(C) 10150/2016

RAJESH KUMAR SEJWAL

..... Petitioner

Through Mr. Dinesh Kumar, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR

..... Respondents

Through Ms. Anju Gupta and Mr. Roshan Lal
Goel, Advs. for R-1.

Mr. Ravi Chaturvedi and Ms. Renu
Chauhan, Advs for R-2.

Mr. Ramesh and Mr. Virender Rawat,
Advs for the applicant.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **06.01.2017**

W.P.(C) 10150/2016 & C.M. No.40182/2016

A status report has been filed by the respondent/SDMC. It is pointed out that a demolition order qua the suit property i.e. properties bearing No. F-25, F-348, near Panchayat Ghar, Lado Sarai, New Delhi has been passed on 16.11.2016 and all actions in accordance with law shall be taken pursuant to those demolition orders. This statement of the respondent/SDMC is taken on record.

This is an application filed by the applicant who is stated to be the private respondent (not arrayed as party here). His submission is that the demolition order has been passed on 16.11.2016 against his property; he is aggrieved. He additionally points out that the

petitioner had earlier filed a suit i.e. Civil Suit No.84904/2016 wherein the prayer made in that suit is identical to the prayer made in the present petition; submission is that this is only a form of blackmail which the petitioner is now using against the respondents. This Court notes the prayers made in the suit which was filed prior in time to the present petition. The submission of the proposed applicant appears to be correct.

Be that as it may, this Court also notes the stand of the respondent/SDMC which is to the effect that the SDMC has already initiated action against the property of the proposed applicant and the same shall be completed in accordance with law. Since the parties have already been relegated to a suit and the suit had been filed prior in time to the present petition and the prayer made both in the suit and the present petition is identical, this petition does not deserve to be carried out any further. It is accordingly dismissed.

INDERMEET KAUR, J

JANUARY 06, 2017

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