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

+ **W.P.(C) 5598/2017**

VIKRANT

..... Petitioner

Through: None.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS

..... Respondents

Through: Mr. G.D. Mishra, Standing Counsel
for R-1/SDMC

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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13.12.2017

W.P.(C) 5598/2017 and CM APPLs. 30872/2017 (for interim relief) and 23498/2017 (Exemption)

None appears for the petitioner even today. Instant petition came to be filed alleging unauthorised construction in property bearing House No.92/C-4, Ward No.2, Mehrauli, New Delhi-110030. In the status report dated 08.12.2017, it has come to be stated on behalf of the respondent-South Delhi Municipal Corporation as follows:

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.....

3. That further as per record, upon following the due process U/s 345-A of DMC Act 1957, the sealing orders were also passed in respect of the property in question by the Competent Authority vide dated 04/10/2017. The copy of the sealing order in this regard is annexed herewith as

Annexure-A.

4. That further as per record, pursuant to demolition/sealing orders already passed in respect of the property in question, the building department-II of South Zone/SDMC vide action dated 21/11/2017 upon availability of police force also demolished the unauthorized construction in the shape of RCC roof slab of Third Floor at 03 location (03 panels) and cut the reinforcement by gas cutter. Further the staircase leading to Third Floor was also sealed at one point on account of which the entire third floor and onwards of the property gets completely sealed. The photographs of the said actions are also annexed herewith as Annexure-B(Colly).

5. That moreover immediately upon taking/carrying out the aforementioned action, the necessary letter for watch and ward in respect of the subject property was also sent vide bearing No.2412/AE(B)/SZ/2017 dated 24/11/2017, copy of the same is annexed herewith as Annexure-C.

6. That it is also relevant to point out that upon following the due process, the regularization application as moved by the owner/applicant in respect of the subject property, has also been rejected vide dated 05/12/2017 on account of non compliance of the shortcomings/observations communicated in this regard. The copy of letter bearing number D/2485/AE(B)-II/BLDG/SZ/20-17 dated 06/12/2017 is also annexed herewith as Annexure-D.”

In view of the actions taken, and contemplated, nothing further survives in the petition, and the same is disposed off accordingly. Should there be a fresh cause of action, the petitioner would be at liberty to approach this Court afresh. Pending applications also stand disposed off.

A. K. CHAWLA, J

DECEMBER 13, 2017/nn