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

+ **W.P.(C) 5531/2017**

RAKESH KUMAR SHARMA Petitioner
Through **Mr. Sushil Kumar Jain, Adv.**

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS

..... Respondents
Through **Mr. Sri Harsha Peechara, Standing
Counsel for SDMC with Ms. Vidhi
Jain, Adv.
Mr. Sunil Kumar Singh, Adv for R-2.
Mr. Sachin Nahar, Adv with ASI Ved
Prakash, PS Vasant Vihar for R-3.**

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **29.08.2017**

Petitioner approached this Court seeking directions in the nature of Mandamus directing the respondent to demolish/remove the unauthorised construction and illegal encroachment on Plot No.15C and 15D, Vasant Gaon, Vasant Vihar, New Delhi. In the status report by way of the affidavit, respondent-SDMC has stated, as under:

- “4. That further it is also relevant to point out that the photograph as annexed along with the writ petition as at page-9 as part of annexure P-1 is in fact the photographs of the demolished adjoining property bearing No. 15-E Basant Gaon. Even in respect of said property no new construction activity has been noticed at site. However, some old bricks were found stacked at site.**

5. **That in light of the above given facts and circumstances at present no action is warranted on the part of the Building Department-I/South Zone/SDMC, however, strict watch has been kept at site by the area field staff and the necessary action will be taken immediately in respect of the property in question upon noticing any new construction activity as per law.”**

As per the status report, which is handed over during the course of hearing, on behalf of the SHO, Vasant Vihar, no fresh construction is getting raised on the subject plot.

In view of the forgoing, petition is without any cause of action and dismissed accordingly.

A. K. CHAWLA, J

AUGUST 29, 2017

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