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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11417/2016 & C.M. No.44747/2016**
KUSHWAKAR RASTOGI AND ANR

..... Petitioners

Through Counsel for petitioners.

versus

NORTH DELHI MUNICIPAL CORPORATION AND ORS

..... Respondents

Through Mr.Mukesh Gupta, Standing Counsel
for North DMC/R-1 & R-2.
Mr.Deeptakirti Verma, Ms.Aparna
Iyer with SI Amit Kumar for R-3.
Mr.Chetan Lokur, Advocate for R-4.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **14.02.2017**

Learned counsel appearing for respondent nos.1 and 2 under instructions submits that as on date on the inspection of the site no construction activity has been found prevailing therein. No construction material has also been found stocked at the site. Learned counsel appearing for respondent no.3/local SHO also endorses this stand of respondent nos.1 and 2. Respondent no.4 (private respondent) submits that no construction is being carried out by him at the site. These statements of the respondents are taken on record.

Noting this stand of the respondents and also submission of the petitioner that the pillar raised by respondent no.4 has since been removed from the site and the admitted position that the walled city

(Chandani Chowk) where this alleged construction activities were being carried out is a 'special area' and no construction contrary to the building bye-laws is permitted. This Court is of the view that no further orders are called for in this petition.

Needless to reiterate that the submission made by learned counsel for respondent nos.2 and 3 as also by private respondents are in the nature of undertakings which have been furnished to the Court and there will be no deviation from the stand. It is hoped and expected that these statements as on date will continue to be honoured in true letter and spirit and since the stand of respondent no.4 himself is that he is not carrying out any construction activity contrary to the bye-laws the government departments will not permit the same to be carried out.

No further orders are called for in this petition. It is disposed of.

INDERMEET KAUR, J

FEBRUARY 14, 2017
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