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

+ LPA 702/2016 & CM APPL. No. 46358/2016

MERCURY GENERAL CORPORATION PVT LTD Appellant
Through Mr. Harish Malhotra, Sr. Advocate with
Mr. Rajender Aggarwal, Advocate
versus

INDERJEET AHUJA & ORS Respondents
Through Mr. Kapil Dutta, Advocate for North
DMC
Mr. Dalip Kumar Malhotra with Mr.
Rajesh Malhotra, Advocate for R-1to5
Mr. Ajay Arora with Mr. Kapil Dutta
And Mr. S Lal, Advocate

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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04.01.2017

Having heard the learned counsel for both the parties, though we found that the order under appeal does not suffer from any infirmity, we consider it appropriate to dispose of the appeal with the following directions:

- (i) The North Delhi Municipal Corporation/respondent No.6 shall take action as contemplated under Sections 348 and 349 of the Delhi Municipal Corporation Act, 1957 in respect of the building in question after giving an opportunity of being heard to all the occupants of the building and after passing a reasoned order. Such exercise shall be completed as expeditiously as possible, preferably within a period of eight weeks from today.
- (ii) Till such time, the respondent No.6 Corporation shall ensure that the status of the building/property in question is not disturbed and that no

encroachment/additional construction is made except with the permission of the Corporation.

The appeal along with the pending applications shall stand disposed of.

CHIEF JUSTICE

SANGITA DHINGRA SEHGAL, J

JANUARY 04, 2017/P