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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 610/2017 & C.M. No.2785/2017
SUMAN CHAWLA

..... Petitioner
Through Mr. M.V. Ahmad and Mr. Aditya
Yadav, Advs.

versus

NORTH DELHI MUNICIPAL CORPORATION AND ANR

..... Respondents
Through Mr. Ajjay Aroraa, Mr. Kapil Dutta
and Ms Diksha Lal, Advs for R-1.
Ms. Neelam Singh, Adv for R-3 along
with SI Randeep.
Mr K.K. Sharma and Mr. S.Khan,
Advs for R-4.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **15.02.2017**

Learned counsel for appearing for respondent No. 1 under instructions from Mr. Sharad Gupta, AE submits that there does appear to be seepage in the building but this is not for any action or inaction on the part of the Corporation. This seepage, if any, is either due to the act of the petitioner or of the private respondent namely respondent No.4; respondent No. 1 has no role in this matter. Certain photographs have been shown to the Court to substantiate this stand of respondent No. 1.

The petitioner before this Court admits that after the filing of this petition, the seepage in the building has stopped. His submission

is that respondent No.4 should continue to ensure that there would be no seepage in the foundation of the building; he also prays that he may be granted permission to repair his building.

Respondent No.4 is also present in Court. His contention is that he is constructing his ground floor and first floor as per the Building Byelaws; he has not deviated from the same; he undertakes and assures to the Court that there will be no seepage which can affect the status of the property of the petitioner. This statement of respondent No.4 is taken on record and it is hoped and expected that the same shall be honoured in true letter and spirit. This Court thus notes that this petition has become infructuous. Nothing survives in this petition. It is disposed of.

The submission of the petitioner that he may be permitted to repair his second floor is granted subject to the repairs being as per Building Byelaws of the Corporation.

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

INDERMEET KAUR, J

FEBRUARY 15, 2017

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