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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7092/2017 and CM APPL. 29488-29489/2017**

SHYAM VEER Petitioner
Through Mr. Sunil Choudary, Adv.

versus

EAST DELHI MUNICIPAL CORPORATION AND ORS Respondents
Through Mr. Manoj Kumar Sharma Adv. for R-1.
Mr. Santosh Kumar Tripathi, ASC with Mr. Rizwan, Adv. for GNCTD/R-2 with Mr. Mahender Kumar, ACP, Gokalpuri with Insp. Raj Kumar, PS New Usmanpur. Mr. Alok Kumar, Adv. for R-3.

CORAM:
HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER
% **06.12.2017**

Instant petition came to be filed alleging unauthorized construction in the property bearing no. D-3, Service Road, Near Police Chowki, Vijay Colony, 3rd Pusta, Jagjeet Nagar, New Usmanpur, Delhi.

In the status report dated 31.10.2017, it has come to be stated as under :

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3. That a special demolition action programme under the

P.S. New Usmanpur was fixed for 03.10.2017 to 17.10.2017 to demolish the suit property. A major demolition action was taken on the suit property i.e. Opposite Honda Showroom, near BSES pillar no.419, main service road, 3rd Pusta, Jagjit Nagar, Usmanpur, Delhi wherein all the slab panels have been cut, railing has been demolished. Also, the chajja at first floor has been demolished and the suit property has been made completely unusable / inhabitable. The photographs are annexed R-2.

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In view of the action taken, nothing survives in the instant petition. Mr. Alok Kumar, ld. counsel for respondent no.3 submits that the petition has come to be filed with malafide intention and is the off-shoot of enmity between the petitioner and respondent no.3 and that, the respondent no.3 reserves his right to initiate such action against the petitioner as may be available under law. He is at liberty to do so. Mr. Alok Kumar also presses for waiver of costs imposed vide order dated 1.11.2017 stating that the counsel, who appeared on the last date of hearing, has been well advised. In view of the statement made by Mr. Alok Kumar, cost imposed on 1.11.2017 is waived. Petition and the pending applications stand disposed off accordingly.

A. K. CHAWLA, J

DECEMBER 06, 2017

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