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

+ **W.P.(C) 7451/2017 & CM APPL. 30729/2017**

SAMEER SIDDIQUI

..... Petitioner

Through Mr. Shakeel Ahmed Saifi and Mr.
Idris Khan, Advs with petitioner in
person.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS.

..... Respondents

Through Mr. Rakesh Mittal, Standing Counsel
for SDMC with Mr. Kamlesh Anand
and Ms. Yamini Mittal, Advs.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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12.09.2017

By the petition, the petitioner seeks the prayer, as follows:

“(i) issue a writ in the nature of Mandamus or any other writ, order/orders, direction/directions whereby directing the Respondent no.1 & 2 demolish/remove the new construction boundary walls and structure which has illegal raised by Respondent no.3 of the property bearing No.F-128/1, measuring area 50 Sq. Yds. out of Khasra No. 378, MIN, situated in the area of Village Jasola, Abadi known as Shaheen Bagh, Tehsil Mehrauli, New Delhi and also adjoining property, in the interest of justice.”

In the petition, the petitioner claims himself to be the owner in possession of the subject property. During the course of hearing, on being queried, ld. counsel for the petitioner submits that though petitioner himself is the owner and in occupation of the subject

property, which is already constructed, the respondent no.3 is now raising a wall on the boundary wall of the property of the petitioner and that is unauthorisedly being constructed. Does the petitioner have any alternative remedy? For the purpose, the answer certainly has to be in affirmative. Writ petition is therefore rejected. Respondent shall however, look into the instant petition as a representation of the petitioner for any alleged unauthorised construction being raised by the respondent no.3. Petition stands disposed off accordingly.

A. K. CHAWLA, J

SEPTEMBER 12, 2017

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