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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7357/2017**
J C SHARMA Petitioner
Through **Mr. V.K. Sharma, Advocate**

versus

EAST DELHI MUNICIPAL CORPORATION AND ORS Respondents
Through **Counsel (Appearance not given)**

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

ORDER
% **16.11.2017**

Petitioner approached this Court alleging unauthorised construction in property bearing No.1619/C-1 (Old), 1/11701 (New), Panchsheel Garden, Naveen Shahdara, Delhi-110032. In the status report that has come to be filed by the respondent-EDMC, it is stated as under:-

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.....
2. That subsequently the unauthorized construction had been booked vide file No.142/UC/B-II/SH-N/2017 dated 06.06.2017. Show Cause Notice vide No.142/UC/B-II/SH-N/2017 dated 06.06.2017, u/s 343 & 344 (1) of the DMC Act-1957, had been sent to Sh. Darshan Singh Verma, 1/11701 (Part), old No.1619/C, Panchsheel Garden, Naveen Shahdara, Delhi. As no reply from Sh. Darshan Singh Verma had been received in this office therefore demolition notice was issued vide No. 142/UC/B-II/SH-N/2017 dated 15.06.2017. The owner/builder failed to comply the directions of demolition notice within stipulated time, the demolition order was passed by the Assistant Engineer, concerned dated 03.07.2017. Copy of the Demolition Order is annexed as Annexure R-1 (Colly).

3. That Sealing Show Cause Notice vide No. DC/SH-N/B-II/-D-485 dated 24.08.2017, u/s 345-A of the DMC Act-1957, had been served to Sh. Darshan Singh Verma, 1/11701 (Part), old

no.1619/C, Panchsheel Garden, Naveen Shahdara, Delhi. As no reply from Sh. Darshan Singh Verma had been received in this office therefore Sealing Orders were passed by the Deputy Commissioner on 12.10.2017. Photocopy of the Sealing Order is annexed as Annexure R-2 (Colly).

4. That in order to execute the Demolition & Sealing Orders special demolition programme was fixed for 13.10.2017. The programme fixed for 13.10.2017 could not be executed due to non-providing of police force by the Delhi Police.

5. That aggrieved with the proceedings of East Delhi Municipal Corporation, Sh. Darshan Singh Verma preferred appeal (s) bearing No.909/2017 and 926/2017 dated 13.10.2017 before AT MCD to restrain the respondent EDMC to take punitive action and further sought time to alter the impugned property for regularization.

6. That AT MCD vide order dated 25.10.2017 restrained the respondent EDMC from taking any demolition action qua the property in question bearing plot no.1/11701, Panchsheel Garden, Naveen Shahdara, Delhi till next date of hearing before AT MCD on 22.01.2018. Order copy of AT MCD is annexed as Annexure R-3.

7. That Sh. Darshan Singh Verma, owner has applied for regularization vide file No.F-14(R) dated 10.10.2017 of impugned property before the respondent EDMC which is under consideration.”

In view of the actions taken and contemplated, nothing survives in the petition. Petition is disposed off accordingly.

Liberty is reserved to the petitioner to approach this Court afresh, if a fresh cause of action arises. As prayed by Mr. Sharma, learned counsel for the petitioner, the petitioner would be at liberty to place the relevant documents/record before AT, MCD relevant to the subject property.

Dasti under the signatures of Court Master.

A. K. CHAWLA, J

NOVEMBER 16, 2017/nn