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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8153/2017 and CM APPL. 33507-33508/2017**

MUDASSIR HUSSAIN Petitioner
Through None.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS Respondents
Through Mr. Ajjay Aroraa and Mr. Kapil
Dutta, Advs. for SDMC/R-1.
Mr. Approv Chandra Saxena and Mr.
Sumit Batra, Adv. for R-3.

CORAM:
HON'BLE MR. JUSTICE A. K. CHAWLA
ORDER
% **06.12.2017**

Mr. Arorra seeks to place on record the status report in terms of the last order. Allowed. It is taken on record. While none appears for the petitioner, in the status report, it is stated, as under :

3. That, in continuation of earlier report filed by the Building Department, Central Zone, it is submitted that demolition action against this property was taken by the department on 10.10.2017 and during the action, 02 number of RCC roof panels were demolished at Ground Floor. After taking demolition action, a letter bearing No.313/AE(B)-V/CNZ/2017 dated 20.10.2017 was sent to the SHO, PS Jamia Nagar with the request to keep strict watch & ward over this property, so that Owner/Builder may not be able to restore the demolished portion. Copy of letter dated 20.10.2017 is annexed herewith as Annexure: R-1.
4. That, it was noticed by the concerned field staff that the

Owner/Builder of the subject property has raised further unauthorized construction at this property in the shape of First Floor to Fourth Floor, accordingly, same has been booked by the department u/s 343/344 of the DMC Act vide U/c File No.604/B/UC/EE(B)-I/CNZ/2017 dated 13.11.2017 and after following due process of law demolition order was passed.

5. That, in order to prevent further unauthorized construction at this property, a letter bearing No.D/384/AE(B)-V/CNZ/2017 dated 15.11.2017 was sent to the SHO, PS Jamia Nagar with the request to get the unauthorized construction activity stopped, at this property. Copy of letter dated 15.11.2017 is annexed herewith as Annexure: R-2.

6. That, demolition action against this property was taken by the department on 28.11.2017, during the action, 02 number of RCC roof panels of first floor were demolished. After taking demolition action, a letter bearing No.D/652/AE(B)-IV/CNZ/2017 dated 04.12.2017 were sent to the SHO, PS Jamia Nagar with the request to keep strict watch & ward over this property, so that the Owner/Builder may not be able to restore the demolished portion. Copy of letter dated 28.11.2017 is annexed herewith as Annexure: R-3.

7. That the photographs showing the demolition action taken by the department on 10.10.2017 and 28.11.2017 are annexed herewith as Annexure: R-4 (Colly).

8. That, further demolition action against this property has been planned for 06.12.2017. Action against this property will be taken on the said date, subject to availability of police force.”

In view of the action taken and contemplated, petition and the pending applications stand disposed off. Liberty is however, reserved to the petitioner to approach this court afresh, if, a fresh cause of action arises.

A. K. CHAWLA, J

DECEMBER 06, 2017

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