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

+ **W.P.(C) 9142/2017 & CM APPLs. 37422-23/2017**

GAURAV MANUJA

..... Petitioner

Through: Mr. Sikandar Khan, Advocate with
petitioner in person

versus

NORTH DELHI MUNICIPAL CORPORATION

AND ORS

..... Respondents

Through: Ms. Saroj Bidawat, Advocate for
R-1/NDMC
Mr. Mukesh Kumar and Mr. Gaurav
Mishra, Advocates for DDA/R-3

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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10.11.2017

Petitioner has approached this Court alleging unauthorised construction in property bearing Flat No. 26, Block – E2, Pocket – 1, Ground Floor, Sector-15, Rohini, Delhi – 85.

In the status report dated 9th November, 2017, the respondent/ SDMC has submitted as under :

5. That the petitioner was also found running the trade in the name & style of “FAIR DEAL MOTORS” in garage belonging to Flat no. E-2/1/30 and E-2/1/32. The garages of the two flats have been reportedly purchased by the petitioner and the above shop has been opened by way of removing internal partition wall of two garages. The said unauthorised construction carried out has been booked vide u/c file no. 261/UC/C-57/B-I/RZ/2017 dated 30.10.2017. A show cause notice u/s 343/344 (1) of the DMC Act 1957 bearing no. 261/UC/C-57/B-I/RZ/2017 dated 30.10.2017 has been issued

and served upon owner of the concerned flats and also the occupier of the shop. Photograph of the property/ garage taken on 31.10.2017 is attached as ANNEXURE-R/2.

6. That the property / garage of the petitioner have been re-inspected on 07.11.2017. During inspection, it has been noticed that the name plate of “FAIR DEAL MOTORS” has been replaced with the banner “GNK LAW ASSOCIATES”. Photograph of the garage / Property bearing no. E-2/1/30-32, Sector – 15, Rohini taken on 07.11.2017 is attached as ANNEXURE – R/3.
7. That pursuant to booking of unauthorised construction in the property of respondent no. 4 and in the garages of petitioner as per details indicated above, it is submitted that further action is liable to be taken under relevant provisions of the DMC Act, 1957 against aforesaid properties in due course of time after following due process of Law.”

In as much as, there is nothing on record to take it otherwise, keeping in view the actions already taken and contemplated, nothing further survives in the petition. Petition is therefore, disposed off, with the liberty to the petitioner to approach this Court afresh, if, a fresh cause of action arises. Petition stands disposed off accordingly.

A. K. CHAWLA, J

NOVEMBER 10, 2017

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