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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 8741/2017 and CM APPL. 35825/2017 (Exemption)
MAHESH BAISOYA Petitioner
Through Mr. Rajmangal Kumar, Advocate

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS
..... Respondents
Through Mr. Surender Kumar Sharma,
Advocate for R-1 & R-2

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

ORDER
% **27.10.2017**

The petitioner has approached this Court alleging unauthorised construction in property bearing no.953/2-A, Arjun Nagar, Kotla Mubarakpur, New Delhi.

In the status report dated 24.10.2017, filed by the respondent/SDMC, it is stated in paras 4 to 6, as under:-

“4. That as per record, on 24.07.2017, the deviations against sanctioned building plan in the shape of excess coverage from basement to third floor against sanctioned building plan was noticed and booked. By the respondent-SDMC for action under Section 343/344 of the DMC Act, 1957 vide File No.432/B/UC/EE(B)-I/CNZ/2017 dated 24.07.2017 the respondent/SDMC also initiated sealing proceedings u/s 345-A of the DMC Act against the said deviations. The competent authority after following due process of law passed demolition and sealing order. On 04.08.2017, respondent/SDMC executed the sealing order and sealed the entire property.

5. That pursuant to sealing of property, the owner of

the property filed application and undertaking in the shape of affidavit for temporary de-sealing to get the structure rectified and to bring the property within the permissible norms and to get the same regularized. The owner also filed application for the regularization of permissible deviations/excess coverage which was processed vide file No.62/B/UCR/CZ/2017. The Competent Authority allowed temporary de-sealing for 15 days for the purpose of rectification of the structure. During temporary de-sealing, the owner rectified the structure and brought the same within the permissible norms.

6. That pursuant to rectification of the structure, competent authority approved the compounding of permissible coverage. The owner deposited an amount of Rs.1,72,000/- on account of compounding fee. The property stands regularized.”

In view of the action taken and the property having been regularized, nothing further survives in the petition and the same along with pending application stands disposed off accordingly.

A. K. CHAWLA, J

OCTOBER 27, 2017

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