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

+ **W.P.(C) 9559/2017 & CM APPL. 38895/2017**

RAMESH KUMAR

..... Petitioner

Through

Ms. Sanjana Aatil, proxy counsel for
Ms. Pavni Poddar, Adv.

versus

**SOUTH DELHI MUNICIPAL
CORPORATION AND ORS**

..... Respondents

Through

Mr. G.D. Mishra, Standing Counsel
for R-1 to R-3 with Mr. Harjinder
Singh, AE (Bldg.), Najafgarh Zone.
Mr. Siddharth Dutta, Av. For R-4 &
R-5.
Mr. Vipin Nanelwani, Adv. for R-8.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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02.11.2017

The petition is filed alleging unauthorized constructions in the properties referred to in the petition in plot Nos. E-546, E-547, E-548 and E-549, Village Palam Extn., Delhi. During the course of hearing, on being queried, ld. counsel appearing for the petitioner submits that the petitioner is aged about 70 years and it is the first petition filed by him. During the course of hearing, on being queried, as to whether the petitioner has earlier filed any action for any other unauthorized construction getting raised in the locality or anywhere else in Delhi, ld. counsel appearing for the petitioner, is at pains, to state anything.

Instant petition appears to be outcome of a personal vengeance, inasmuch as, it comes to be pointed out by Mr. Mishra, ld. counsel for the respondent SDMC that the brother of the petitioner namely, Mr. S.K. Gupta has also filed a civil suit titled S.K. Gupta Vs. SDMC & Ors. in relation to the same properties in June, 2015 and the same is pending adjudication in the Court of Sh. Jagminder Singh, Civil Judge and fixed for 20th February, 2017. Writ jurisdiction cannot be invoked to settle personal scores. Petition is therefore, dismissed. It is however, expected of the respondents to look into the allegations of unauthorized constructions or otherwise and discharge the statutory obligations, as prescribed under the DMC Act.

A. K. CHAWLA, J

NOVEMBER 02, 2017

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