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

+ W.P.(C) 11004/2017 and CM APPL. 44977/2017

SH VIJAY GULATI

..... Petitioner

Through

Mr. Ajay Sandhu and Mr. Gaurav  
Meena, Advs.

versus

THE COMMISSIONER, SOUTH DELHI MUNICIPAL  
COROPRATION AND ORS.

..... Respondents

Through

Mr. Rakesh Mittal, Standing Counsel  
with Mr. Kamlesh Anand and Ms.  
Yamini Mittal, Advs. for R-1 & R-2.

**CORAM:**

**HON'BLE MR. JUSTICE A. K. CHAWLA**

**ORDER**

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**11.12.2017**

Instant petition has come to be filed alleging unauthorized construction in the property bearing no. WZ-H-19, Main Road, Opposite Montoo Shah Cable Network, Sant Nagar Extension, New Delhi -110018.

As per the notice dated 7.11.2017, which is annexure-P1 to the petition, the construction is getting raised for the last 6-7 months and Mr. Mittal, ld. Standing Counsel for SDMC submits that he has no instructions in the matter. Why the petitioner has chosen to approach this Court at this stage and why ld. Standing Counsel has not come to be instructed inspite of the notice given in advance, serious doubt arises as to the petition being bonafide. It appears to be an exercise to

misuse the process of the Court. Petitioner, as per the averments made in para 2, is stated to be a socially active and humble man serving the society for its betterment. On being queried, ld. counsel appearing for the petitioner, submits that as far as he knows, this is the only first petition filed by the petitioner. It gives the impression that the petitioner is either a pawn of the owner/builder or a disgruntled official of the respondent-Corporation. Be that as it may, in view of the allegations made in the petition, the petition is disposed off with a direction to the Commissioner, SDMC and the Commissioner of Police, Delhi, to look into the allegations made in the petition and take the necessary action(s), as expeditiously as possible, within four weeks from today. Petition and the pending application stand disposed off accordingly.

*Dasti* under the signature of the Court Master.

**A. K. CHAWLA, J**

**DECEMBER 11, 2017**

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