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

+ **W.P.(C) 11718/2017 & CMs 47533-34/2017**

SHIBA KHAN & ORS. Petitioners

Through: Mr.Saleem Ahmed, Mr.Ajay Pratap
Singh, Advs.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR.

..... Respondents

Through: Mr.Rajan Tyagi, Add. Standing Counsel
for R-1

Mr.Anuj Aggarwal, ASC for GNCTD with
Ms.Niti Jain, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **26.12.2017**

CM 47534/2017

Exemption allowed subject to all just exceptions.

WP(C) 11718/2017 & CM 47533/2017(stay)

Issue notice. Notice is accepted by Mr.Rajan Tyagi and Mr.Anuj Aggarwal, Advocates for respondent nos.1 and 2, respectively.

The petitioners claim themselves to be the occupants of various floors in property bearing No.G-124, Block G, Gali No-4, Nala Wala Road, Jaitpur Extension, Part-2, Badarpur, Near Ramlila Ground, New Delhi-44 having purchased these floors by way of documents like power of attorney, agreement to sell, etc. It is claimed by the petitioners that they are in occupation of the said floors since the purchase and have not received any notice/order of demolition from respondent no.1.

On the other hand, counsel for respondent no.1 submits that the

demolition order was passed on 26th May, 2016 and part demolition action was also taken on 15th June, 2016. Thereafter, the property was sealed vide sealing order dated 9th July, 2016 and seal was affixed on 20th October, 2016. He submits that even if the documents of the petitioners are to be believed, the transactions of purchase were done after the sealing action had been taken by respondent no.1.

Counsel for the petitioners submits that the above submission of the counsel for the respondent no.1 is in relation to a different property and not to the property in question.

Be that as it may, the respondent no.1 shall give to the petitioners copies of demolition order and the sealing orders within two days from today. On receipt of these orders/notice, the petitioners shall be free to take their remedy in accordance with the Delhi Municipal Corporation Act.

Counsel for the respondents submits that the demolition activity is on-going and is scheduled for today and tomorrow.

It is directed that the respondents would maintain status quo as on today with respect to the demolition activity for a further period of two weeks. The petitioners are also restrained from creating any third party interest or carrying out any other construction activity during this period.

The order of status quo shall lapse after a period of two weeks until and unless so extended by an appropriate Forum in accordance with law.

The petition is disposed of with the above directions.

Dasti under the signatures of the Court Master.

**NAVIN CHAWLA
(VACATION JUDGE)**

DECEMBER 26, 2017/RN