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

+ W.P.(C) _____/2018

HASHIMA GULATI

..... Petitioner

Through: Mr Abhishek Kumar Choudhary and
Ms Kirti Wardhan Sharma,
Advocates.

versus

NORTH DELHI MUNICIPAL CORPORATION
AND ORS.

..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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08.01.2018

1. The present petition is taken up on an urgent mentioning. The petition be registered and numbered.
2. The petitioner has filed the present petition, *inter alia*, praying for interim stay on eviction and demolition of the premises being the Ground Floor, 21/1, Old Rajendra Nagar, New Delhi.
3. The petitioner claims that he purchased the property from a builder by a registered sale deed dated 15.12.2017 and was unaware that the vacation dated 26.07.2017 was served on him earlier.
4. The learned counsel appearing for the petitioner submits that in terms of the order passed by the Government of NCT of Delhi dated 26.04.2011, the MCD was required to put on its website all buildings that had been declared and booked as 'unauthorised construction'.
5. In terms of the said order, it is further directed that transactions in

respect of the said properties will not be registered. He submits that in this view, the petitioners were unaware that the property had been booked as neither the details of the property in question were put on the website, nor was any objection raised at the time of registration of the sale deed of the property in question.

6. The petitioner further states that he has already made a representation for compounding the unauthorised construction.

7. It is also stated that the petitioner became aware of the prior vacation notice dated 26.04.2017 only today and, thus, the petitioner is not in a position to vacate the premises overnight.

8. In view of the above, this Court considers it apposite to stay the immediate demolition (which is stated to be planned tomorrow) till the next date of hearing.

9. The said order has been passed on an undertaking of the petitioner that in the event his representation is not accepted and the construction raised has to be demolished, the petitioner shall voluntarily carry out the said demolition without any demur or protest and undertaking to this effect be filed by way of an affidavit on or before the next date of hearing.

10. List before the concerned Roster Bench on 10.01.2018.

11. Order *dasti* under signature of Court Master.

VIBHU BAKHRU, J

JANUARY 08, 2018
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