

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

+ W.P.(C) 1135/2018 & C.M. Nos.49183/18 (stay), 4775/2018 (stay) & 27819/2018 (for interim relief)

MR. SHAFIQ AHMED Petitioner

Through None.

versus

NORTH DELHI MUNICIPAL CORPORATION
AND ORS

..... Respondents

Through Ms.Namrata Mukim, Adv. for R-1.
Mr.P.K. Mishra, Adv. for R-3 & 4
with R-3 in person.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

ORDER
19.12.2018

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1. Vide the present petition, the petitioner has sought a direction to the respondent nos.1 & 2 to dismantle and demolish all the unauthorised and illegal constructions existing inside and outside the property bearing Nos.1911, 1923 & 1924, Bazar Lal Kuan, Near Lal Masjid, Delhi – 110006. The petitioner has also sought a further direction that the respondent nos.3 & 4, be restrained from raising any illegal, unlawful and unauthorised construction on the property in question.

2. Upon notice being issued, Ms.Namrata Mukim, learned counsel for the respondent no.1 has filed a status report clearly stating therein

that all the unauthorised constructions on the said property already stand demolished and, therefore, the petition has become infructuous. She further states that the respondent nos.1 & 2 are conscious of their duty and will take all possible steps to ensure that no unauthorised construction is carried out by the respondent nos.3 & 4.

3. Learned counsel for the petitioner, however, draws my attention to two photographs which are stated to have been taken on 30th October, 2018, to contend that the respondent nos.3 & 4 are still carrying out unauthorized construction activities after the demolition of the earlier constructions by the respondent no.1.

4. Having seen the two photographs on which heavy reliance has been placed by learned counsel for the petitioner, I find that the same only depict that the flooring in the property is being repaired and, therefore, the plea that unauthorised construction activities are still being carried out is not borne out from the photographs. On the other hand, in the light of the action already taken by the respondent nos.1 & 2, and the stand taken by them that they will take all possible steps to ensure that no unauthorized construction is carried out by respondent no.3 & 4, nothing further survives for adjudication in the present petition.

5. However, in case the respondent nos.3 & 4 carry out or attempt to carry out any further unauthorised construction, it will be open for the petitioner to approach the Special Task Force (STF) in accordance with the order dated 20th September, 2018 passed by the Division Bench of this Court in the petition being WP (C) No.1807/2018 and connected matters.

6. The petition and pending applications are disposed of as infructuous with liberty as prayed for.

DECEMBER 19, 2018/aa

REKHA PALLI, J