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IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment delivered on: 03.08.2018

W.P.(C) 8035/2018

PREMWATI

..... Petitioner

versus

**THE COMMISSIONER, SOUTH MUNICIPAL CORPORATION OF
DELHI & ORS.**

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Imran Khan, Advocate.

For the Respondents: Ms. Mini Pushkarna, Standing Counsel along with Ms. Swagata Bhuyan
and Ms. Shiva Pandey, Advocates for SDMC/respondent Nos. 1 and 2.
Mr. Sanjay Singh, Advocate for DDA.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

J U D G M E N T

SIDDHARTH MRIDUL, J (ORAL)

The present writ petition under Article 226 of the Constitution of India, prays as follows:-

“a) Issue appropriate writ, order or direction thereby direct the respondent no. 1 to 4 to demolish the illegal/unauthorized existing structure of Flat bearing No.53/1239, First Floor, DDA Flats, Kalkaji New Delhi and Flat No.53/1243 to 1247, II Floor to Vth Floor, DDA Flats, Kalkaji, New Delhi.

b) Direct the respondent No. 1 to 3 to de-seal the House of petitioner i.e. property bearing No.53/1235, DDA Flats, Ground Floor, Kalkaji, New Delhi.

c) Issue necessary direction for taking legal action against all the respondents as per law of the land.”

Ms. Mini Pushkarna, learned Standing Counsel appearing on behalf of the SDMC/respondent Nos. 1 and 2, on advance notice states that, they shall take demolition action *qua* the illegal/unauthorized construction existing in Flat bearing No. 53/1239, First Floor, DDA Flats, Kalkaji, New Delhi and Flat No. 53/1243 to 1247, IInd Floor to Vth Floor, DDA Flats, Kalkaji, New Delhi, on 14th August, 2018, expeditiously, in accordance with law and in terms of the directions issued by this Court, by way of order dated 2nd May, 2018.

Directed accordingly.

In view of the statement made on behalf of the SDMC, learned counsel for the petitioner does not press this petition any further.

With the above direction, the petition is disposed of.

Needless to state that, the petitioner is at liberty to institute an appropriate proceeding, in accordance with law, if he is aggrieved by the inaction on the part of the SDMC, with regard to carrying out the demolition, as undertaken hereinabove.

**SIDDHARTH MRIDUL
(JUDGE)**

AUGUST 03, 2018
RS