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

+ **W.P.(C) 4178/2017**

VIJAY KAPOOR

..... Petitioner

Through: Petitioner in person.

versus

THE COMMISSIONER M C D TOWN HALL DELHI AND ORS

..... Respondents

Through: Mr. Mukesh Gupta, Standing Counsel
for R1 & R2

Ms. Seema Singh, Adv. for R3

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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19.02.2018

CM No. 6682/2018 (for exemption from personal appearance)

An application has been filed by Mr. Mukesh Gupta, learned Standing Counsel for respondent Nos. 1 and 2 seeking exemption from appearance of Chief Engineer Mr. Sanjay Jain, Karol Bagh Zone North MCD in the court today. The same is taken on record and has since been numbered. The relevant averments are made in para 4 of the application, which reads as under:

“4. That Mr. Sanjay Jain, the concerned Chief Engineer (Karol Bagh Zone), is not well and is on leave and is thus unable to appear before this Hon’ble Court on 19.02.2018.”

For the reasons stated in the application, Mr. Sanjay Jain is exempted

from appearance today. The application stands disposed of.

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The status report has been filed in the Court. The same is taken on record. In pages 4 and 5 the status report read as under:

“ That the North DMC has also initiated action against the unauthorised construction of fourth floor entire in this property (rest of the building is old and occupied) under section 313 and 344 of DMC Act, 1957 vide file No.B/UC/KBZ/2017/120 dt. 29.05.2017. The demolition order in respect of said unauthorised construction was also passed on 07.06.2016. It is further submitted that the department has taken a demolition action this property on 09.02.2018 with the assistance of police force from P.S. Rajinder Nagar. In this action the entire fourth floor has been demolished and made it unusable. The photographs of the Property No.35/15, Old Rajinder Nagar, New Delhi before and after demolition action are annexed herewith as Annexure R-1/1(Colly). ”

The photographs have been annexed with the status report. The petitioner, who appears in person has been given a copy of the status report. He states that he is satisfied with the action taken by the respondent No.1 and does not wish to pursue the petition any further. The writ petition is disposed of accordingly.

V. KAMESWAR RAO, J

FEBRUARY 19, 2018/aky