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

+ **W.P.(C) 4611/2017**

NARAIN DUTT

..... Petitioner

Through: Mr. Kirti Uppal, Sr. Adv. with Mr.
Sidharth and Mr. Aditya Awasthi,
Advs.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR.

..... Respondent

Through: Ms. Puja Kalra and Mr. Virendra
Singh, Advs. for SDMC

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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21.05.2019

CM No. 24492/2019

This is an application filed by Mr. Karan Gupta, Mr. Sanjay Aggarwal, Mr. Devesh Nautiyal and Mr. Shikar Chand Jain with the following prayers:

“In view of the aforementioned facts and circumstances, it is most respectfully prayed that this Hon’ble Court may be pleased to:

a. Allow the present application and revive the present Writ Petition No.(C) 4611/2017 titled as “Narain Dutt vs. SDMC

& Ors.”.

b. Allow the present application and implead the Applicants herein as respondents in the present proceedings.

c. Allow the present application and direct the Petitioner herein to provide a copy of the present petition and further grant liberty to file a detailed counter affidavit.

d. Allow the present application and modify/vary the order dated 23.08.2018 to the extent that no coercive action is taken against the applicants.

e. Allow the present application and direct the respondent to decide the application of the applicants under Appendix Q of the Building Bye-Laws and till then no coercive measures be taken.

f. pass such other or further order(s) as may be deemed fit and proper in facts and circumstances of the present case.”

According to Mr. Kirti Uppal, learned Senior Counsel appearing for the petitioner the aforesaid four applicants are the owners / occupiers of the property in question. Mr. Kirti Uppal states that the grievance of the applicants herein is that their property is sought to be demolished on the basis of order passed in the writ petition filed by the petitioner / non applicant herein.

He also submits that all the four applicants have submitted their regularisation applications to the SDMC on May 10, 2019. According to

him, if regularisation applications are accepted, the demolition order cannot be effected on the property in question.

Issue notice to the petitioner / non applicant and respondent No.2, returnable on August 26, 2019. Ms. Puja Kalra, Adv. accepts notice for the SDMC who shall take instructions and file status report with regard to the regularisation applications within four weeks.

V. KAMESWAR RAO, J

MAY 21, 2019*/aky*