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

+ **CONT.CAS(C) 450/2017 & C.M. 22524/2017**

JYOTI BISHT

..... Petitioner

Through: Mr. Javed Ahmad, Advocate

Versus

PARVEEN KUMAR GUPTA & ORS.

..... Respondents

Through: Mr. Mukesh Gupta, Standing
counsel for respondent No.1- NDMC with
Mr. Sanjay Baniwal, Advocate & SI Pritam
Singh

Mr. Anjum Javed, Advocate for respondent
No.2

Mr. Yashpal Singh, Advocate for respondents
No.3 & 4

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

07.12.2018

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Violation of order of 26th April, 2013 is alleged in this petition. Vide aforesaid order, local police was directed to enforce the Work Stop Notice and it was clarified that the construction in the subject property would be carried out in accordance with the sanctioned plan.

In the Status Report filed by respondent-NDMC, it is stated that unauthorized / illegal construction has been demolished in Plot No. 1671-62, Kucha Dalkhni Rai, Darya Ganj, New Delhi. In the Status Report filed, it has been specifically stated that on 8th August, 2018, unauthorized

construction at the roof of first floor and three panels of the roof slab have been demolished by using gas cutters. Along with the Status Report, photographs have been filed and it perusal reveals that demolition action has taken place on the roof of the subject premises.

Petitioner's counsel submits that unauthorized construction has not been completely demolished and there is still violation of easement rights of petitioner.

During the course of hearing, respondent's counsel has handed over Compliance Report of 7th December, 2018 and its perusal reveals that demolition action has been taken on 17th August, 2017 and 8th August, 2018 and that Special Demolition Action was also undertaken on 6th December, 2018 and the subject premises has been made unusable. Some photographs have been also appended with it. Copy of Compliance Report of 7th December, 2018 has been handed over to petitioner's counsel.

In view of above, it is deemed appropriate to dispose of this petition in the light of Compliance Report of 7th December, 2018, with liberty to petitioner to get this petition revived if there is any inaccuracy in the Compliance Report of 7th December, 2018.

This petition and application are accordingly disposed of.

(SUNIL GAUR)
JUDGE

DECEMBER 07, 2018

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