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

+ W.P.(C) 6298/2017, CM No. 26108/2017 (for stay)

BEENA KUMARI

..... Petitioner

Through: Mr. Arun Kumar Verma, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS

..... Respondents

Through: Mr. Sandeep bajaj, Adv. for R-1
Ms. Riya Gulati, Adv. for Mr. Uttam
Datt, Adv. for R-2
Mr. Vikrant Pachnanda, Adv. for R-3/DDA
Mr. Rohit Kumar, SI, PS Jamia Nagar

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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19.02.2018

1. The present petition has been filed with the following prayers:-

“It is, therefore, most respectfully prayed that this Hon’ble Court may kindly be pleased to:-

i) Issue writ of mandamus directed the respondents no. 1 to 3 to demolish the illegal and unauthorized construction raised by the respondent No.4 & 5 at property no. 260, R-Block, Gali no.5, Land Area Measuring 400 sq. yds, three Side Open, Khasra no. 260/1, Safina Road, Joga Bai Extension, New Delhi-110025 without obtaining site plan from the concerned authorities.

ii) To issue a writ of prohibition against the respondent no.4 & 5 restraining them from raising further illegal and unauthorized construction at property no. 260, R-Block, Gali no.5, Land Area Measuring 400 sq. yds, three Side Open, Khasra no. 260/1, Safina Road, Joga Bai Extension, New Delhi-110025;

iii) Pass such other order(s) and further order(s) as it deems fit in the facts and circumstances of the case.”

2. A status report has been filed the SDMC. Paras 12 and 13 of the status report reads as under:-

*“12. That, action against this property has been taken on 12.02.2018. During the action, two numbers of flat were sealed at two points at each of Second Floor and Third Floor. Photographs showing the sealing action taken by the department are annexed herewith as **Annexure R-2**.*

13. That, further action against the property has been planned for 05.03.2018.”

3. In view of the stand of the SDMC, the petition and the connection application are disposed of, granting liberty to the petitioner, if the petitioner is still aggrieved because of the inaction on the part of the SDMC, she can revive the writ petition.

Dasti.

V. KAMESWAR RAO, J

FEBRUARY 19, 2018/ak