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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 586/2017, CM No. 29957/2017**
MAHESH KUMAR Petitioner
Through: Mr. Rajmangal Kumar, Adv.
versus

PUNEET KUMAR GOEL & ORS Respondents
Through: Ms. Puja Kalra, Adv. for SDMC

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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16.03.2018

CM No. 29957/2017 (for exemption)

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

CONT.CAS(C) 586/2017

In terms of status report filed by the SDMC the stand in paras 3 to 5 is

as under:

“3. That, with regard to the unauthorized construction alleged by the petitioner, it is submitted that there exists two properties, which have been identified by the department as Property No.T-941/2, Plot No. 71, Part of Khasra No. 319, Arjun Nagar, Kotla Mubarakpur and T-941/3, Plot No. 71, part of Khasra No. 319, Arjun Nagar, Kotla Mubarakpur and both of these properties stands booked by the respondent under Section 343/344 of the DMCT Act vide U/c file No. 413/B/UC/EE(B)-I/CNZ/2016 dated 25.04.2016 and 412/B/UC/EE(B)-I/CNZ/2016 dated 25.04.2016, respectively. After following due process of law demolition order were passed against both of these properties.

4. That, later on Owner of these properties applied for regularization of existing structure under Self Assessment

Scheme vide file No.15/SRB/B/CZ/2016 dated 17.10.2016 and 16/SRS/B/CZ/2016 dated 17.10.2016, respectively.

5. That, further it is also submitted that the Owner of Property No. T-941/2, Plot NO. 71, Part of Khasra No. 319, Arjun Nagar, Kotla Mubarakpur has deposited an amount of Rs.1,60,800/- towards compounding fee vide G-8 receipt No. 35667 dated 28.12.2016 and Owner of Property No. T-941/3, Plot No. 71, Part of Khasra No. 319, Arjun Nagar, Kotla Mubarakpur has deposited an amount of Rs.1,85,000/- towards compounding fee vide G-8 receipt no.35668 dated 28.12.2016.”

Even though, learned counsel for the petitioner states, response to the status report is ready, wherein the petitioner has challenged the regularisation of the property concerned by the SDMC in favour of Mr. Abhey Kumar Jain and Mrs. Ruchi Jain, he agrees to the fact, the petitioner has to challenge the regularisation order. He accordingly withdraws the contempt petition to enable the petitioner challenge the regularisation order passed by the respondent in an appropriate forum in accordance with law. The contempt petition is closed.

V. KAMESWAR RAO, J

MARCH 16, 2018/aky