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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 554/2019**
SANTU SHARMA

..... Petitioner

Through: Mr. Rajat Aneja and Ms. Chandrika
Gupta, Advs.

versus

NORTH DELHI MUNICIPAL CORPORATION AND ORS.

..... Respondent

Through: Mr. Daman Pop, Adv. for R-2 to R-4.
Mr. Abhinav Tyagi, Adv. for R-2 to
R-5.
Mr. Raghav Sabharwal & Ms.
Bhavya, Advs. for R-1.
Mr. Mukesh Gupta, SC for MDC &
Mr. Raghav Sabharwal, Adv. for
MDC/R-1.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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29.07.2019

The status report has been filed by the North DMC in which in para
no.3 they have stated as under:-

“3.That the deponent further states that the monthly
demolition/sealing programme was organized within the
jurisdiction of P.S. Kotwali and the steps to execute the
demolition/sealing orders in respect of the property under
reference was planned initially on 24.06.2019 but action
could not be taken due non availability of Police Force.
Another action was planned on 17.07.2019, however, the
owner produced the copy of the order dated 09.07.2019

passed in appeal no.339/2019 titled V.V. Buildcon (India), Pvt. Ltd. passed by the Hon'ble ATMCD which indicates that there shall be interim stay of demolition. Further, the respondent is restrained from taking any coercive action on the third and fourth floor of the property in question till next date of hearing i.e. 04.09.2019. The photocopy of the order dated 09.07.2019 of the Hon'ble ATMCD is annexed herewith as **Annexure R-2.**"

From the above it is clear that the proceedings are pending before ATMCD, which shall decide the legality of action taken by the North DMC. A stand has also been taken by respondent no.2 & 5 in their appeal before the ATMCD. In view of the aforesaid, this court is not inclined to continue the proceedings.

At this stage, Mr. Aneja requests that the petitioner be allowed to intervene in the proceedings initiated by respondent Nos.2 to 5 before the ATMCD. Such a request is not opposed by counsels appearing for the corporation as well as R-2 to R-5. Their statement is taken on record. If such an application is filed before the ATMCD, the same shall be considered favourably.

The petition is disposed of.

V. KAMESWAR RAO, J

JULY 29, 2019/k