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

+ **W.P.(C) 1894/2019**

SANJEEV SHARMA

..... Petitioner

Through: Mr. Ikrant Sharma & Ms. Divya
Upadhyay, Advs.

versus

NORTH DELHI MUNICIPAL CORPORATION AND ORS.

..... Respondents

Through: Mr. Raghav Sabharwal, Adv. for R1,
3 & 4/North DMC.
Mr. Varun Kumar Tikmani, Adv. for
R-2.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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25.02.2019

CM APPL. No. 8841/2019 (for exemption)

Allowed, subject to just exceptions.

Application stands disposed of.

W.P.(C) 1894/2019

The petitioner's grievance is in relation to alleged unauthorized construction from the 1st to 3rd floors on property bearing No. 988 Kucha Natwa, Chandni Chowk, Delhi.

2. Apart from impleading other respondents, the petitioner has impleaded the Chairman of the Supreme Court Monitoring Committee as respondent No. 5. The petitioner has also annexed a copy of complaint dated 05.10.2018 made by him to the Chairman of the Monitoring

Committee against alleged unauthorized construction in the subject property.

3. Mr. Raghav Sabharwal, learned counsel for respondents Nos. 1, 3 and 4/North DMC and Mr. Varun Kumar Tikmani, learned counsel for respondent No. 2 appear on advance copy. In view of what I propose to do in the matter, I do not deem it necessary to have respondent No. 6 present in the matter.

4. Learned counsel appearing for respondents Nos. 1, 3 & 4/North DMC states that he has instructions that while action was initiated against the owner of the subject property, the owner was able to satisfy the officials that he had received sanction of the building plan through the on-line 'Saral Scheme' and was undertaking construction in consonance and accord with such sanctioned plan and therefore there was no unauthorized construction in the subject property.

5. In these circumstances, learned counsel for respondents Nos. 1, 3 and 4/North DMC states that the show-cause notice issued was withdrawn.

6. In view of the foregoing, learned counsel for the petitioner, having taken instructions from the petitioner, states that she wishes to withdraw the present petition with liberty to pursue the complaint before the Monitoring Committee and/or the Supreme Court.

7. Accordingly, this petition is dismissed as withdrawn, with liberty as prayed for.

ANUP JAIRAM BHAMBHANI, J.

FEBRUARY 25, 2019/uj