

\$~33

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

+ **W.P.(C) 2957/2019, CM No. 13689/2019**

MUKESH KUMAR GARG

..... Petitioner

Through: Ms. Manisha Mehta, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION Respondent

Through: Mr. Sanjeev Sabharwal, SC with
Ms. B. Waseem, Adv. for SDMC

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

%

28.03.2019

The present petition has been filed by the petitioner with the following prayers:

“In view of the aforementioned facts and circumstances, it is most respectfully prayed that this Hon'ble Court may be pleased to:

- a) Issue a writ of mandamus or any other appropriate writ, order or direction thereby directing the respondent South Delhi Municipal Corporation to not to take any coercive Sealing / Demolition action against the Property No.64-A, Village Badarpur, New Delhi.*
- b) Grant an opportunity of personal hearing to the petitioner before taking any coercive action.*

c) *Any other or further orders may kindly be passed as this Hon'ble Court thinks fit and proper in the facts of this case."*

Learned counsel appearing for the respondent informs the Court that a notice dated March 26, 2019 has been issued by the respondent under Section 332 of the DMC Act calling for a reply from the petitioner regarding the unauthorised construction made in the property in question. The petitioner is required to reply to the same within a period of six days.

If that be so, the petitioner shall reply to the said notice within a period of six days from today. The respondent shall consider the same and pass appropriate orders in accordance with law.

It goes without saying that if the petitioner is still aggrieved by any order to be passed by the respondent, liberty is with the petitioner to seek such remedy as available in law. The writ petition is disposed of.

CM No. 13689/2019 (for stay)

Dismissed as infructuous.

V. KAMESWAR RAO, J

MARCH 28, 2019/aky