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

+ **W.P.(C) 4008/2019**

JAI PRAKASH

..... Petitioner

Through Mr Sanjeev Baniwal, Advocate.

versus

DELHI DEVELOPMENT AUTHORITY
AND ORS.

..... Respondents

Through Mr Pawan Mathur, Advocate standing
counsel DDA.

Ms Garima Prasad, Mr Abhinav Singh,
Advocates for R2.

Ms Tara Narula, Advocate with Mr Pawari
Mathur, Advocate for R3 and R5.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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16.04.2019

CM APPL. 18161/2019

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

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3. The petitioner has filed the present petition, *inter alia*, praying that respondent nos. 1 to 5 be directed to take action against respondent nos. 6 to 8 by sealing and demolishing the property in question.
4. The petitioner claims that respondent nos. 6 to 8 have carried out unauthorized construction at the premises bearing No. 92-B, Madangir

Village, New Delhi-110062. It is further alleged that the said building is being used for running a school and a coaching centre. This Court is informed that a Special Task Force (STF), for dealing with the problem of unauthorized construction, has been constituted.

5. It is also noticed that the Division Bench of this Court in ***Devender v. Govt. of NCT of Delhi & Ors., W.P. (C) 1807/2018, decided on 20.09.2018*** had passed an order directing the petitioners therein to approach the STF in respect of any complaint regarding any unauthorized construction. In the circumstances, this Court is also of the view that it would be apposite for the petitioner to approach the STF for seeking any action regarding the unauthorized construction.

6. Having stated the above, this Court is also of the view that respondent nos. 2 (South Delhi Municipal Corporation) cannot be absolved of its obligations to ensure that no unauthorized construction is raised.

7. In view of the above, the petitioner is directed to approach the STF. In the meanwhile, respondent no.2 shall also examine the complaint of unauthorized construction as made in the this petition and take an appropriate action in accordance with law.

8. Insofar as the petitioner's grievance about running of a school on the property in question is concerned, the petitioner had made a complaint to the Lieutenant Governor which has been forwarded to respondent no.3 (Directorate of Education). The petitioner has also drawn the attention of this Court to a letter dated 02.3.2019, wherein the petitioner was informed by the Directorate of Education that his complaint is under examination. In this view, the Directorate of Education is directed to consider the

petitioner's application as expeditiously as possible and take appropriate steps in accordance with law.

9. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

APRIL 16, 2019

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