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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5704/2019, CM Nos. 24925-24926/2019**
SURENDER SETHI & ORS

..... Petitioners

Through: Mr. Himanshu Upadhyay, Adv.

versus

NORTH DELHI MUNICIPAL CORPORATION & ANR

..... Respondent

Through: Mr. Ajjay Aroraa, Adv. with
Mr. Kapil Dutta, Adv. for Nr. DMC/
R-1
Mr. Pankaj Yadav, Adv. with
Mr. Priyaranjan Dubey, Adv. for R-2

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **22.05.2019**

CM No. 24926/2019

Exemption allowed subject to all just exceptions.
Application stands disposed of.

W.P.(C) 5704/2019

1. The present petition has been filed with the following prayers:-

“It is, therefore, most respectfully graciously be please to-

a) Issue any writ, order or direction against the respondent(s) to restrain the illegal construction in property bearing No.R-490, New Rajinder Nagar, Pomposh Lane, Delhi-110060 inter-alia with the direction to the respondents to comply with directions passed by Hon’ble High Court in writ petition No. 7339 of 2012;

b) Pass such further or other order as the Hon'ble Court may deem fit and proper in the facts and circumstances of the matter."

2. Learned counsel for the petitioners has drawn my attention to an order passed by this Court in the earlier writ petition being Writ Petition No. 7339/2012 to contend despite this Court saying that the respondent Corporation shall keep a vigil over the property in question and in case there is any unauthorized construction in future, a suitable action will be taken in accordance with law, illegal construction is being made by unknown persons on the third floor of the property.

3. Mr. Dutta, who appears for the respondent No.1, on advance notice, conceding to the fact that illegal construction was being made on the third floor of the property, states on instructions from Mr. Raju Kumar Sethi, Assistant Engineer (Building), Karol Bagh that the same has been demolished yesterday i.e 21st May, 2019 and assures the Court that the Nr. DMC shall keep a vigil over the property in question and shall not in any manner allow any unauthorized construction to take place in future as well. Noting the submission, the petition is closed.

CM No. 24925/2019 (for stay)

Dismissed as infructuous.

Dasti.

V. KAMESWAR RAO, J

MAY 22, 2019/ak