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

Date of Decision: 31.07.2019

+ W.P.(C) 8290/2019

SANDEEP DAHIYA

..... Petitioner

Through: Mr. Abhisht Hela, Adv.

versus

NORTH DELHI MUNICIPAL CORAPORATION AND ORS.

..... Respondents

Through: Mr. Ajjay Aroraa, Adv. with

Mr.Kapil Dutta, Adv. for NDMC

Mr. Arun Birbal, Adv. for DDA

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT

D.N. PATEL, CHIEF JUSTICE (ORAL)

CM APPL.34336/2019 (*Exemption*)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 8290/2019

1. This writ petition has been preferred with the following prayers:

“(a) Issue writ of mandamus or any other writ/order/direction to the Respondent No. 1 for dismantling and demolishing all the unauthorised and illegal constructions/encroachment existing inside and outside the property bearing Plot No.WZ-547, Rishi Nagar, Rani Bagh, Delhi-110034, and or any other

stricter/encroachment, and further not to allow any type construction;

(b) appoint a local commissioner to assist the Respondents for demolition the unauthorised and illegal constructions/encroachment existing inside and outside the property bearing Plot No. WZ-547, Rishi Nagar, Rani Bagh, Delhi-110034, and or any other stricter/encroachment;

(c) allow the writ petition with cost in favour of the petitioner;

(d) pass such further or other orders as this Hon'ble Court may deem fit and proper.”

2. Having heard the counsel for petitioner and the counsel for respondent No.1 and also looking into the facts and circumstances of the present case, it appears that there is some unauthorised construction as alleged by this petitioner at the property mentioned in the memo of the writ petition as per Annexure P-2. Legal notice has also been given and these facts are brought to notice of the concerned authority about the illegal construction. Hence, respondent No.1 is hereby directed to take action in accordance with law, rules, regulations and government policy applicable to the facts of the present case after giving adequate opportunity of being heard to the occupiers of the premises in question.

3. With the aforesaid observation, this writ petition stands disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J

JULY 31, 2019/ns