

\$~26

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

+ W.P.(C) 926/2017 & CM APPL. 5442/2017

SANJEEV BHARAL AND ORS Petitioner

Through Mr.Manish Makhija, Adv.

versus

S D M C AND ORS Respondent

Through Mr.Kartik Rathi for Ms.Reema Kapoor, Advs for R-1.

Mr.Hamid Ali, Adv for R-3.

Mr.Bhagvan Swarup Shukla, CGSC with Mr.Kamaldeep, Advs for UOI.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **15.01.2019**

1. Vide the present petition, the petitioner has *inter alia* sought a direction to the respondent no.1 to take appropriate action against unauthorised construction in respect of the property no.99/A, Masjid Moth, South Extension II, New Delhi, which is stated to be in violation of the Ancient Monuments & Archaeological Sites and Remains Act, 1958.

2. Two status reports have been filed by the respondent no.1 and a perusal of the first status report filed by the respondent no.1 shows that according to the said respondent itself, the property was initially booked on 25.10.2010 and the necessary demolition action was

proposed to be initiated soon. However, it is highly unfortunate that even after nine years no action has been taken by the said respondent.

3. Today, learned counsel for the respondent no.1 states that the said respondent has already taken action resulting in demolition of a portion of the unauthorised construction. He states on instructions that the respondent no.1 is proposing to take further demolition action expeditiously after following due process of law

4. As prayed for, the respondent no.1 is granted one final opportunity of four weeks' to take appropriate action qua the unauthorised construction on the property in question in accordance with law, with liberty to the petitioner to approach the Court again in case action as per law is not taken by the respondent no.6 within the aforesaid period.

5. The writ petition is disposed of in the aforesaid terms.

REKHA PALLI, J

JANUARY 15, 2019

sr