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

+ W.P.(C) 5369/2018

MOHD YUSUF

..... Petitioner

Through: Mr. Azhar Alam, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION AND
ORS.

..... Respondents

Through: Mr. Puneet Garg, Adv. for R1.
Mr. Rizwan and Mr. Jatin Ghuliani,
Advs. for R3 and R4.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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18.03.2019

On May 18, 2018, following order was passed:

“Learned counsel appearing for the respondent no.1 states, prima facie the petition qua SDMC shall not be maintainable as the construction which is alleged is on agricultural land as per the averments made by the petitioner himself. He states, he will check up the position and revert back to the Court.”

Today, learned counsel for the petitioner states that a notification under Section 507 of the Delhi Municipal Corporation Act, 1957 has been issued. If that be so, the very premise on which the present petition has been filed inasmuch the plot in question on which the unauthorized construction

is being made is an agricultural land would no longer exist.

Learned counsel for the petitioner has not placed before me any notification issued under Section 507 of the DMC Act. He seeks liberty to withdraw the petition with liberty to file a fresh petition placing on record notification issued under Section 507 of the DMC Act against unauthorized construction.

With liberty as prayed for in accordance with law, the petition is dismissed as withdrawn.

V. KAMESWAR RAO, J

MARCH 18, 2019/jg