

\$~23

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

+ **W.P.(C) 9367/2018**

SUDHA NAUMAN

..... Petitioner

Through: Mr. Rajeev Saxena and
Mr. Manish Kumar, Advs.

versus

NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Dhanesh Relan, SC for SDMC
with Ms. Gauri Chaturvedi, Adv.
Mr. T.S. Nanda, Adv. for R1, R2, R4
& R5
Mr. Shesh Datt Sharma, Adv. for R6

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

%

02.04.2019

The present petition has been filed by the petitioner with the following prayers:

“In view of the facts and circumstances explain herein above, and in the interest of justice, it is therefore, most respectfully prayed that this Hon'ble Court may be pleased to:

(a) Pass a writ in the nature of mandamus directing the respondent No. 1 to 5 to take action and to demolish the illegal and unauthorized construction by respondent No. 6.

(b) Pass a writ in the nature of mandamus directing the respondent No. 3 to take action regarding the illegal and unauthorized construction by respondent No.6.

(c) Pass a writ in the nature of mandamus directing the respondent No. 4 to 5 take action regarding the illegal and unauthorized construction by respondent No.6.

(d) Pass any such other, orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

Even though a status report has been filed by the SDMC, a request for filing a further status report has been made by the counsel for the SDMC. Learned counsel for the respondent No.6 states that the respondent No.6 has approached the ATMCD against the demolition order and the ATMCD has passed order in favour of the respondent No.6 protecting her rights.

If that be so, it would be appropriate for the petitioner to approach the ATMCD by way of an intervention application, in the appeal being No. 196/2019 filed by the respondent No.6, which is pending consideration before the ATMCD. Suffice it to state, if an application for intervention is filed by the petitioner before the ATMCD, the same shall be favourably considered.

The writ petition is disposed of.

V. KAMESWAR RAO, J

APRIL 02, 2019/aky