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

+ **W.P.(C) 13986/2018 & CM. No. 54726/2018**

SHRI. KAILASH

..... Petitioner

Through: Mr. Mohinder Singh, Adv. with
petitioner in person.

versus

SMT. KAMLA DEVI AND ORS.

..... Respondents

Through: Mr. Manish Bhardwaj, Adv. for R1.
Mr. Kabir S. Ghosh, Adv. for R3 to
R5.
Ms. Tara Narula, Adv. for R6 and R7.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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09.04.2019

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

"For meeting the ends of justice in the facts and circumstances of the case, it is, therefore, most respectfully prayed that this Hon'ble Court may be pleased to:-

- a. Direct the respondent no.3 to 7 to take action against the illegal construction being raised by the respondent no.1 and 2 on the plot of land bearing No.B-212, J.J. Colony, Inderpuri, New Delhi with further Direction to the respondent no.1 and 2 not to carry out any construction.*
- b. The Hon'ble Court may also pass such further order's deems fit and proper in the fact and circumstances of the case in the interest of justice."*

In substance the challenge in this petition is about a construction being raised by respondent no.1 (owner) through respondent no.2 (builder). Learned counsel for the respondent / Nr. DMC has drawn my attention to an order passed on March 26, 2019 in a writ petition filed by respondent no.1 relegating the said respondent to the ATMCD. The interim order passed on October 8, 2018 in that writ petition was directed to be continued till such time the ATMCD considers the stay application.

In view of the said protection, the petitioner does not press this petition. Suffice it to state liberty is with the petitioner to seek intervention in an Appeal to be filed by respondent no.1.

The petition is disposed of accordingly.

CM. 54726/2018

Dismissed as infructuous.

V. KAMESWAR RAO, J

APRIL 09, 2019/jg