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

+ W.P.(C) 56/2020

ABID KHAN

..... Petitioner

Through Mr.Harsh Singhal and
Mr.V.K.Pandey, Advs.

versus

GOVT. OF NCT DELHI & ORS.

..... Respondent

Through Mr.Ajay Aroraa and Mr.Kapil Dutta,
Advs. for R-2
Mr.Abhinav Singh, Adv. for R-1,3 and 4
Through

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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10.01.2020

CM APPL. 193/2020

Allowed, subject to all just exceptions.

W.P.(C) 56/2020

This Writ Petition is filed by the petitioner seeking a direction to respondents No.4 to 6 to stop the illegal construction and also direct respondents No.2 and 3 to stop raising construction on property bearing No.R-252/4, Part of Khasra No.256 situated at Abdul Hameed Road, 20 Foota Joga Bai Extension, Jamia Nagar, Okhla, New Delhi.

The case of the petitioner is that he bought the plot of land from respondent No.5 herein on 18.11.2017. Subsequently in February 2018 respondents No.5 and 6 started illegal construction on the said property. Plaintiff has filed a suit which is pending adjudication before the concerned

District Court. An interim order was also passed in favour of the petitioner in the said suit based on the statements of the defendants therein that they will not carry out illegal construction. The grievance of the petitioner is that the defendants of the suit/respondents herein, namely, respondents No.5 to 7 are carrying out illegal and unauthorised construction. Contempt proceedings have also been initiated by the petitioner.

It is obvious that there is a civil dispute between the petitioner and the private respondent. However, learned counsel appearing for respondent No.2 states that in case any illegal construction is noticed which is contrary to the provisions of the DMC Act, respondent No.2 will take action as per law. In view of the submissions made by learned counsel for respondent No.2 no further orders are required.

Petition stands disposed of.

JAYANT NATH, J

JANUARY 10, 2020

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