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

+ W.P.(C) 359/2019

SHAHID ATIQ

..... Petitioner

Through Mr.R.Y.Kalia, Adv.

versus

THE COMMISSIONER, NORTH DELHI MUNICIPAL
CORPORATION & ORS

..... Respondents

Through Ms.Namrata Mukim, Standing
Counsel for R-1/North DMC.
Mr.R.K.Dhawan, ASC with
Mr.V.K.Teng, Adv. for R-4/DDA.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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24.02.2020

This writ petition is filed by the petitioner seeking a direction to remove the illegal and unauthorised construction carried out at 3rd and 4th floor of the property bearing No.5, Atatur Rehman Lane, Under Hill Road, Civil Lines, New Delhi.

A status report has been filed by respondent No.1/North DMC in court, which is taken on record. As per the status report, the property was inspected and it was noticed that the existing structure comprises of ground floor to fourth floor and newly constructed unauthorised structures at 3rd and 4th floor were booked on 03.08.2018. Demolition action was taken on 27.06.2018 wherein roof slab of fourth floor built in Agra Stone/Silli Tukri of a room and also walls of the said room were demolished. Sealing action under section 345-A of the DMC Act was initiated. It is further stated that against the said sealing order/action, one Sh.Nasir Atiq has filed an appeal

before the learned ATMCD, which is still pending.

It is manifest that respondent No.1/North DMC is taking appropriate steps as per law, nothing further survives in the present writ petition.

Respondent No.1/North DMC will deal with the said property as per law and ensure that no unauthorised construction is carried out in the said property.

The learned Appellate Tribunal is requested to deal with the said appeal uninfluenced by any observations made herein by this court expeditiously. Learned ATMCD will also grant an appropriate hearing to the learned counsel for the petitioner.

With the above direction, the petition is disposed of. All pending applications, if any, are also disposed of.

JAYANT NATH, J.

FEBRUARY 24, 2020/v