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

+ W.P.(C) 938/2020

VIVEK PRAKASH MUNSHI

..... Petitioner

Through Mr.Thakur Sumit, Adv. with
petitioner in person

versus

SOUTH DELHI MUNICIPAL
CORPORATION & ORS

..... Respondents

Through Mr.Rajesh Kumar and
Mr.S.N.Maurya, Advs. for R-1 &
2/SDMC.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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24.01.2020

This writ petition is filed by the petitioner seeking a direction to demolish/remove the illegal and unauthorised encroachments made by respondent No.3 over the common park land in front of his Flat No.B-50, Ground, DDA Flats, Golf View Apartments, Saket, New Delhi- 110017.

Learned counsel for respondents No.1 and 2 on receipt of the advanced copy of the writ petition appears and submits that there is litigation pending between the petitioner and respondent No.3. He further states that respondent No.3 had also filed a writ petition in this court for the alleged unauthorised construction raised by the petitioner on the second floor. This court directed respondent No.1/SDMC to take appropriate steps as per law. Subsequently, on the action taken by respondent No.1/SDMC, the petitioner has initiated proceedings before the learned ATMCD, which are pending.

A perusal of the photographs placed on record shows that essentially

respondent No.3 appears to have by erecting wall/fencing has encroached upon some common area.

The grievance of the petitioner is that this encroachment has obstructed his sewerage and water lines. He also submits that some unauthorised construction has also been carried out by respondent No.3.

Let respondent No.1/SDMC treat the present writ petition as complaint and based on the same respondent No.1/SDMC will take appropriate action on the same as per law within eight weeks from today.

Whatever action is taken will be duly communicated to the petitioner. Nothing further survives in the present petition. The petition is disposed of. All pending applications, if any, are also disposed of.

JAYANT NATH, J.

JANUARY 24, 2020/v