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

+ W.P.(C) 984/2020 and CM APPL. No. 3178/2020

DATARAM CGHS LTD. AND ORS. Petitioners
Through Mr.Avadh Kaushik, Adv.

versus

NORTH DELHI MUNICIPAL
CORPORATION AND ORS. Respondents
Through Mr.Ajjay Aroraa and Mr.Kapil Dutta,
Adv.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
30.01.2020

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1. This writ petition is filed by the petitioners seeking an appropriate writ for quashing the notices and orders dated 30.09.2019 served upon the petitioners, the impugned demolition order dated 25.10.2019 and the impugned demand notice dated 22.11.2019 issued by respondent No. 4.
2. Learned counsel for the petitioners states that the allegation against the petitioners is that the lift that has been constructed has some deviations. It is pleaded that respondent No. 4 is a resident of the Society and has been a President of the Society earlier. Hence, it is pleaded that it is appropriate that respondent No. 4 who has passed the impugned orders should not deal with the case of the petitioners.
3. It has been pointed out by the learned counsel for North DMC that the

petitioners have applied for regularisation of the said unauthorised construction. He submits that the file for regularisation shall be dealt with by the concerned Executive Engineer and not by respondent No. 4. Learned counsel also states that the present writ petition is not maintainable as the petitioners have an alternative remedy.

4. The grievance of the petitioner is limited. Let the petitioners/authorised representative of the petitioners appear before the concerned Executive Engineer on 12.02.2020 at 2.00 P.M. The concerned Executive Engineer may deal with the application of the petitioners for regularisation of the lift as per law within one month thereafter. Till the decision is taken by the concerned Executive Engineer, no coercive action shall be taken against the petitioners subject to the petitioners not carrying out any further construction on the lift/lift well in question.

5. With the above directions, the present petition stands disposed of. Pending application also stands disposed of.

6. A copy of this order be given dasti under the signatures of the Court Master.

JAYANT NATH, J

JANUARY 30, 2020

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