

\$~A-47

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

+ W.P.(C) 1178/2020 and CM APPL. No. 3909/2020

RAM BABU

..... Petitioner

Through Mr. Alok Kumar Rai, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION THROUGH THE
DEPUTY COMMISSIONER

..... Respondent

Through Mr. Tushar Sannu, Standing Counsel
with Ms. Ankita Bhardouriya, Adv. with Mr. SMR
Zaidi, AE, Najafgarh Zone, SDMC.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

%

31.01.2020

1. This writ petition is filed by the petitioner seeking a direction to the respondent to de-seal the house of the petitioner being 14 B, Plot No. E-384, Bharat Vihar, Kakrola, New Delhi and to quash the order dated 07.10.2019 by which a sealing order was passed.
2. It is admitted that the property in question belongs to the mother of the petitioner who has bought the same by an agreement to sell, etc. It is also admitted that the mother of the petitioner has filed a petition before the ATMCD and that no relief has been granted to the petitioner therein so far.
3. Learned counsel for the petitioner submits that they have been facing a tough time as they have no residence. It is further stated that the entire colony is built in the same manner as done by the petitioner.

4. It is manifest that the ATMCD is already seized of the dispute. The petitioner/owner of the property has already taken appropriate remedy as per law. There is no reason for this court to exercise discretion when the petitioner's mother has already taken steps under the alternative remedy available. However, liberty is granted to the petitioner to approach the Tribunal for expeditious disposal of the pending interim injunction application, if any.
5. The petition is disposed of. Pending application also stands disposed of.

JAYANT NATH, J

JANUARY 31, 2020
rb