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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3336/2020 & CM APPLN. 11739/2020 (stay)**

ANUPAM KHURANAPetitioner

Through: Mr Rajiv Kumar Garg, Advocate.

versus

THE COMMISSIONER MCD
NORTH ZONE AND ORS.

..... Respondents

Through: Mr Akhil Mittal, Standing Counsel
for North DMC/R-1,3 & 4.
Mr Shekhar Kumar, Advocate for R-
2 & 5.
Mr M.P. Sinha and Mr Mohit Monga,
Advocates for R-8.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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18.08.2020

The hearing was conducted through video conferencing.

W.P.(C) 3336/2020 & CM APPL. 15603/2020 (By petitioner/applicant
seeking directions to SHO PS Mukherjee Nagar for protection)

1. Mr. Mittal, learned Standing Counsel for the Corporation, submits that the third and fourth floors of the property bearing no.359, Mukherjee Nagar, New Delhi have been sealed and construction activity at the site has been stopped. The fourth floor has been substantially demolished and further demolition action will be scheduled shortly. The learned counsel for the petitioner, however, submits that there has been only minor puncturing of the roof of the fourth floor.
2. Th Corporation states that since the third floor was occupied at the time of the earlier demolition exercise, it could not be demolished.

Nevertheless, it has been sealed. The question which then arises is, if the third floor could be sealed after its occupants vacated it, then surely the demolition action against it could be carried out.

3. Be that as it may, the Court is informed that the fourth floor is non-existent, and that the third floor remains sealed. The Court is also informed that R-8 has not yet approached the ATMCD and no interim relief has been granted in his favour. The Corporation is proposing to take appropriate action within the next six weeks, with the assistance of the local police, as may be required. The learned counsel for R- 2 & 5 submits that due assistance shall be provided to the Corporation, as per rules. The complaints of the petitioner apropos and threat to his life and liberty, harassment meted out to him, to his family members and to his daughter-in-law, have been looked into by the police and the police are keeping an eye on their safety. A status report has been filed by the SHO of the area. Let it be brought on record.
4. Since no further orders are required to be passed in the matter, the petition, along with pending applications, stands disposed-off in the above terms.
5. The order be uploaded on the website forthwith.

NAJMI WAZIRI, J

AUGUST 18, 2020/rd