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

+ W.P.(C) 5387/2020 & CM APPL. 19413/2020 (exemption)

MIR AKHTAR HUSSAIN Petitioner

Through: Petitioner in person

versus

DEPUTY COMMISSIONER SDMC & Anr. Respondents

Through: Mr. Ajay Arora, SC for SDMC.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **18.08.2020**

The hearing was conducted through video conferencing.

1. This petition seeks the following relief(s):

“(1) *issue a writ of Mandamus or any other writ, order or direction in the nature of Mandamus to quash the impugned notice under No. D-869/AE (B)/SZ/2020 dated 14.08.2020 issued by the respondent no. 2 for demolition of the petitioner’s residential house at D-52, Indira Enclave, Neb Sarai, New Delhi.*

(2) *issue a writ of mandamus or any other appropriate writ, order or direction in the nature of mandamus commanding restraining the respondents from demolishing the residential premises of the petitioner constructed on plot No. D-52 marked as Mark A in the photographs annexed with this petition as Annexure P-3.*

(3) *pass any other order or direction which this*

Hon'ble Court may deem fit and proper under the facts and circumstances of the case."

2. The petitioner is aggrieved by the notices issued by the South Delhi Municipal Corporation ('SDMC') apropos his property, which according to him are without basis, unwarranted and without due procedure. The learned Standing Counsel for the Corporation submits that the earlier notices will not be acted upon and the matter will be reviewed by the Corporation. Let it be so.
3. Before any action is initiated by the Corporation, it shall consider this writ petition as the petitioner's representation. In due course, he shall be heard before any prejudicial action is taken action against him.
4. The writ petition, alongwith pending application, is disposed-off in terms of the above.
5. The order be uploaded on the website forthwith.

NAJMI WAZIRI, J

AUGUST 18, 2020

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