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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5083/2019 & CM APPLs 37609/2019, 15465-15467/2020

SUNNY

.....Petitioner

Through: Mr Hemant Choudhary, Advocate.

versus

**NORTH DELHI MUNICIPAL
CORPORATION AND ORS.**

..... Respondents

Through: Mr Puja Kalra and Mr Virendra Singh, Advocates for NDMC/R-1.
Mr Sanjeev Sagar, Standing Counsel for DDA with Ms Nazia Parveen, Advocate.
Mr Sachin Aggarwal and Mr Amit Rao, Advocates for applicants in CMs 18055/2020 and 18056/2020. .

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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19.08.2020

The hearing was conducted through video conferencing.

W.P.(C) 5083/2019 & CM APPLs 18055/2020 (for stay of demolition) and 18056/2020 (for impleadment)

1. The petitioner in this petition seeks the following reliefs:

“...1. Issue a writ of mandamus or other suitable writ under Article 226 of the Constitution of India directing the Respondent no.i & 2 to seal the suit property and subsequently demolish the same which is illegal and unauthorized, as per there statutory duty.

Issue a writ of mandamus or other suitable writ under Article 226 of the Constitution of India directing the Respondent no.3 & 4 to take steps to restrain owner and builder from raising further illegal construction at the site bearing Plot No. SK-35, Chowki No. 2, Sindhora Kalan, Near Shakti Nagar, Delhi-110052...”

2. The respondent/NDMC has filed an affidavit detailing therein the action taken by it apropos the unauthorized construction. The first action of demolition was initiated on 03.09.2019. Subsequently, the other notices were issued to the builder/occupier on 10.07.2020. The demolition action apropos the property bearing Plot No. SK-35, Chowki No. 2, Sindhora Kalan, Near Shakti Nagar, Delhi-110052 has been initiated on 13.07.2020 and 14.07.2020.
3. Applications of impleadment has been filed by the builders/occupiers Mr. Bihari Lal and Bhagwan Din. It will be open to them to pursue their legal remedies, before the learned ATMCD. Their applications are accordingly disposed-off.
4. No further orders are required to be passed in this petition. The petition, along with all pending applications, stands disposed-off in terms of the above.
5. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

AUGUST 19, 2020/rd