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

+ W.P.(C) 5602/2020, CM APPL. 20272/2020 & CM APPL. 20273/2020

SMT KAUSHALYA SHARMA Petitioner
Through: Mr. Rajeshwar K. Gupta, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR.
..... Respondents

Through: Mr. Kapil Dutta, Advocate for R-1/SDMC.

Mr. Madhu Sudan Bhayana, Panel Counsel (GNCTD) for R-2.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **21.09.2020**

The hearing was conducted through video conferencing.

1. This petition seeks the setting aside of the South Delhi Municipal Corporation's ('SDMC') order dated 17.07.2020, which was passed upon having considered the petitioner's earlier writ petition as a representation.
2. The learned counsel for the Corporation submits that, yet again, the petitioner has not impleaded the parties, the other co-owners, in whose land some construction is going on. He further submits that a civil litigation is pending between the parties. The Corporation has inspected the site and found that the construction is on the basis of a sanctioned building plan. He submits that if any unauthorised

construction is noted, appropriate action shall be promptly initiated and the petitioner will be kept informed about it.

3. The petitioner contends that she has complained about the construction being carried out in property no. 60 A, Basant Village, New Delhi. Mr. Dutta, the learned counsel for SDMC, submits that at the site, there are only 3 properties, i.e., 60A/B, 60A/B-1 and 60A/B-2, Village Basant Gaon, New Delhi. He submits that there is no property no.60A. The petitioner submits that she applied for the sanctioned plans but the same has not been supplied to her. For sanctioned plans and the petitioner can pursue her remedies as per the RTI Act, 2005.
4. At this stage, Mr. Gupta, the learned counsel for the petitioner, seeks to withdraw the writ petition and pursue remedies as may be available in law.
5. In view of the above, the writ petition, along with pending applications, is dismissed as withdrawn. Liberty granted.
6. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through e-mail.

NAJMI WAZIRI, J

SEPTEMBER 21, 2020

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