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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5767/2020**

PARVESH TYAGI

.....Petitioner

Through: Mr P.S. Rana, Advocate.

versus

SDMC AND KRIPA SHANKAR SHARMA

..... Respondents

Through: Mr Dhanesh Relan, Standing Counsel
for SDMC/R-1 with Mr Paritosh
Dhawan, Advocate.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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28.08.2020

The hearing was conducted through video conferencing.

CM APPL. 20831/2020 (Exemption)

1. Allowed subject to all just exceptions. The application stands disposed-off.

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2. Issue notice.
3. Notice is accepted by the learned counsel named-above on behalf of the South Delhi Municipal Corporation ('SDMC')/R-1.
4. At the joint request of the learned counsels for the parties, the petition is taken up for disposal.
5. The petitioner in this petition seeks the following relief(s):

"Give directions against the respondent no.1 for taking necessary steps to stop the illegal construction by respondent no.2 and to demolish the illegal structure already constructed. Any other order of orders, which this Hon'ble Court may deem fit and proper may also be passed in favour of the petitioner and against the respondent."

6. The petitioner is aggrieved by the inaction on part of the Corporation/R-1 apropos raising of illegal construction upon two shops R-2. The petitioner claims ownership of the two shops, as mentioned in the writ petition. The alleged unauthorized construction started on 03.07.2020. The petitioner's suit for injunction against R-2 has been dismissed.
7. Be that as it may, the learned counsel for the Corporation submits that the notices under the Delhi Municipal Corporation Act apropos unauthorized construction, including a 'work-stop notice has also been issued.; work at the site has been stopped. The SHO of the concerned area has been intimated about it on 24.08.2020 and has been requested to keep a vigil so that no further construction takes place; that demolition of the said unauthorized construction is to be scheduled in the next 15 days; the police has been requested to provide assistance. It is expected that the further logical steps will be pursued by the Corporation. The petitioner shall be kept informed about the same.
8. No further orders are required to be passed at this stage. The petition is disposed-off accordingly.
9. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

AUGUST 28, 2020/*rd*