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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 5832/2020, CM APPL. 21088/2020 (exemption) & CM
APPL. 21089/2020 (stay)

CHETNA SHARMA Petitioner

Through: Mr. Anuj Kumar Garg, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION Respondent

Through: Ms. Richa Dhawan, SC for SDMC.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

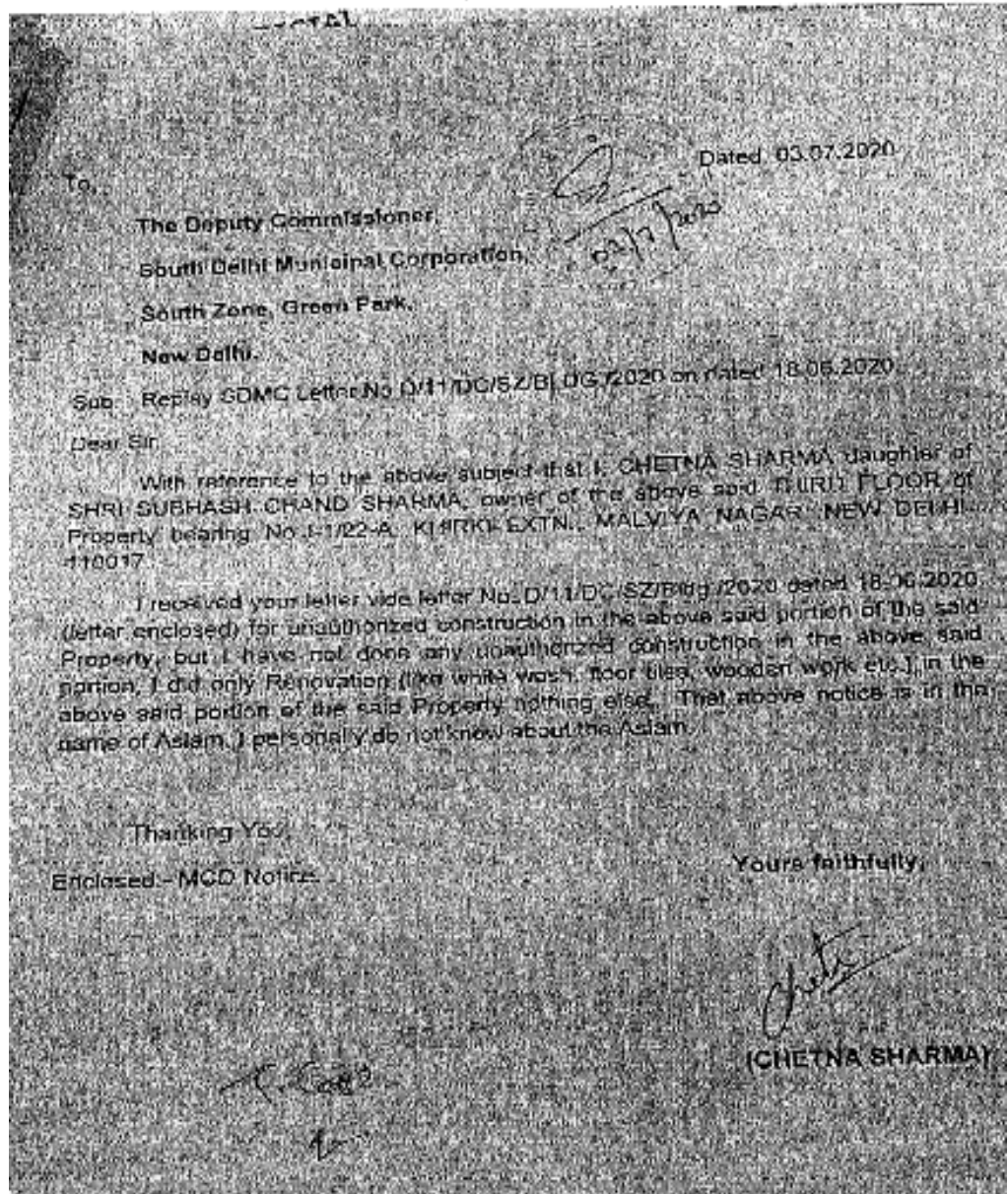
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31.08.2020

The hearing was conducted through video conferencing.

1. The petitioner is apprehensive that her property will be demolished by the respondent/South Delhi Municipal Corporation ('SDMC') in a misconstrued and erroneous action. The petitioner's address is: No. J-1/22-A, Flat No. C-2, 3rd Floor, Malviya Nagar, Khirki Ext., New Delhi – 17. A notice has been pasted on her door by the Corporation on 13.08.2020, but the property referred to in the said notice is J-1/22-C, 3rd Floor. The petitioner is not the owner of the latter property.
2. The petitioner's communication to the Corporation on 03.07.2020, reads as under:

Annexure-A-3



3. Ms. Dhawan, the learned Standing Counsel for SDMC, submits that the aforesaid property is located in an unauthorised colony and the property numbers are frequently altered.
4. Pursuant to the petitioner's aforementioned communication, notice was issued to one Mr. Aslam and not to the petitioner. In the

circumstances, should the Corporation desire to proceed against the petitioner at her aforesaid property, prior notice shall be served upon her.

5. It is the petitioner's contention that show cause notices have not been served upon her, let alone any subsequent demolition notices.
6. The learned counsel for the Corporation contends that the present writ petition is not maintainable since the petitioner has an equally efficacious statutory forum for redressal of its grievance.
7. In the circumstances, the petitioner seeks leave to withdraw the present writ petition with liberty to pursue alternate/statutory remedies, before the learned ATMCD, within a period of 2 weeks. Therefore, for the next two weeks, no precipitate action shall be taken against the petitioner.
8. The writ petition, along with the pending applications, is dismissed as withdrawn. Liberty granted.
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 31, 2020

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