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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P. (C) 6249/2020**

LAKHVIR NATH

.....Petitioner

Through: Mr Niraj Chaudhry, Advocate.

versus

EDMC & ORS.

..... Respondents

Through: Mr Manu Chaturvedi, Standing
Counsel for EDMC/R-1 to 3,
Advocate.

Mr Sanjay Dewan, Advocate for
SHO/R-4.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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11.09.2020

The hearing was conducted through video conferencing.

CM APPL. 22351/2020 (Exemption)

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

W.P. (C) 6249/2020 & CM APPL. 22350/2020 (stay)

2. Issue notice.
3. Notice is accepted by the learned counsels named-above for the respondents. The e-copy of the paper book be supplied by the petitioner to the learned counsels for the respondents through their respective emails during the course of proceedings.
4. At the request of the learned counsels for the parties, the petition is taken up for disposal.
5. This petition seeks the following reliefs:

"...A. To pass an appropriate writ, order and mandamus

thereby directing the respondent nos. 1 to 4 to take action with respect to the illegal and unauthorized construction of residential flat at ground floor into commercial shops forming part of property no.622, Guru Ram Dass Nagar, Jaipur Bhawan, Laxmi Nagar, Delhi-110092.

B. To pass appropriate writ /mandamus against the respondents no.1 to 4-East DMC to send/demolish the said property so that to stop the illegal and unauthorized misuser of the residential flat as detailed above...”

6. The petitioner is aggrieved by the inaction of the Corporation apropos the misuser by R-5 and R-6, of the building in which he resides. It is a residential building which is being used for commercial purposes, by the said respondents. The petitioner's representation to the Corporation has not yielded any response.
7. The learned Standing Counsel for the Corporation states that the property shall be inspected within the next one week and action as may be appropriate shall be taken against such mis-user, as may be found. All parties shall be heard before any precipitate action is initiated against them. The petitioner shall be kept promptly intimated of all developments in the case/proceedings. It will be open to the parties to take recourse to remedies as per law.
8. The writ petition, alongwith pending application, stands disposed-off in terms of the above.
9. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J.

SEPTEMBER 11, 2020/rd