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

+ W.P.(C) 8650/2019

SUDHIR KARIR Petitioner

Through

versus

EAST DELHI MUNICIPAL CORPORATION

THROUGH ITS COMMISSIONER & ORS Respondents

Through Ms.Namrata Mukim, Standing
Counsel with Ms.Garima Jindal, Adv.
for R-1/East DMC
Ms.Poonam Aggarwal, Adv. for R-2,
3 & 4

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% 04.03.2020

This writ petition is filed by the petitioner seeking to impugn the alleged illegal construction carried out on the property bearing No.F-116, Gali No.6, Pandey Nagar, Delhi, by respondents No.2 to 4.

I may only mention that respondent No.2 is the father of the petitioner. Respondents No.3 and 4 are the brothers of respondent No.2. A civil dispute is pending between the parties. The petitioner claims that his grandfather had adopted him as a son and hence, he is entitled to a share in the property equal to that of his father. A suit to that effect has been filed by the petitioner, which is pending in the civil court.

Respondent No.1/EDMC has filed a status report where it has been pointed out that the property in question has been booked under sections 343 and 344 of DMC Act, 1957 for unauthorised construction in the shape of deviation against the said sanctioned building plan from stilt, ground, first,

second and third floors and projection on municipal land. After following due process of law fresh demolition order has also been passed on 17.06.2019. It is further stated that part demolition of the property at ground, first and second floors has been taken on 13.08.2019.

Aggrieved by the aforesaid demolition, an appeal has been filed by respondents No.2 to 4 before the learned ATMCD, which is pending for adjudication.

It is manifest that the petition is motivated and filed on account of civil disputes pending between the parties. That apart, respondent No.1 has taken steps as per law, respondent No.1 will continue to deal with the said property as per law.

With the above direction the present petition is disposed of. All pending applications, if any, are also disposed of.

JAYANT NATH, J.

MARCH 04, 2020/v