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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 187/2017 & CM No.10612/2017 (for additional documents)
VINAY KUMAR WALIA Appellant
Through Mr.Abhas Kumar, Advocate

versus

DDA & ORS Respondents
Through Mr.Arjun Pant, Advocate for
R-1/DDA.
Mr.Shekhar Kumar, Advocate. for
R-2.
Mr.Karan Sharma, Advocate with
Mr.Mohit Siwach, Advocate. for
R-4/SDMC.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% **06.03.2020**

1. Pursuant to the order dated 05.07.2019, the appellant has filed an affidavit stating *inter alia* that he has filed eighteen writ petitions in the High Court from the year 2006 onwards, last one having been filed in the year 2018. Some miscellaneous orders passed in the said eighteen petitions have been annexed with the affidavit. It is stated by learned counsel for the appellant that most of the said petitions were in the nature of Public Interest Litigations (PIL).

2. In the instant case, we had observed on 05.07.2019, that though the appellant/petitioner had filed the writ petition for issuing directions to the DDA & SDMC to take action to stop the alleged unauthorised construction of a premises situated in Village Lado

Sarai, New Delhi, he had failed to implead the party who had allegedly undertaken the unauthorised construction, as a respondent. It was also observed that the writ petition filed by the appellant/petitioner could hardly be treated as a PIL, when he has averred in para 2 that he has a personal interest in the matter.

3. Even otherwise, we are of the opinion that the order impugned in the present appeal does not deserve interference when the SDMC had clearly stated in the affidavit filed before the learned Single Judge that upon receiving complaints in respect of unauthorised construction in the subject premises, part demolition action from the basement to the third floor was proposed on 03.03.2014, but no further action could be taken against the property as the same was in existence prior to 01.06.2014 and was therefore, protected by the provisions of the National Capital Territories of Delhi Laws, Special Provision Second Amendment Act, 2014, till 23.12.2017. It is stated by learned counsel for the DDA and SDMC that the said protection is continuing till date.

4. In view of the observations made hereinabove, the present appeal along with the pending application is dismissed as meritless.

HIMA KOHLI, J

ASHA MENON, J

MARCH 06, 2020

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