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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 5615/2018 & CM APPL. No. 21916/2018

SHREE YOGMAYA AND ANR. .... Petitioners  
Through None.

versus

M/S SOUTH DELHI MUNICIPAL CORPORATION AND ORS.  
..... Respondent  
Through Mr.Mayank Ahuja, Proxy for  
Mr.Mukesh Gupta, SDMC  
Mr. Bharrathi Raju, CGSC, R-2  
Mr. Jeevesh Nagrath& Mr. C.Dutta,  
Advocates for R-3

**CORAM:**  
**HON'BLE MR. JUSTICE JAYANT NATH**

**ORDER**  
% **13.02.2020**

The writ petition is filed by the petitioner seeking a direction to restrain the respondent no. 3 from raising any illegal and unauthorized construction of the fourth floor bearing No. 10/4, Ward No 1, Yogmaya Marg, Mehroli, New Delhi.

The respondent SDMC has filed a status report. As per the status report the unauthorized construction was going on part of the fourth floor and the same was booked under Section 343 and 344 of DMC Act. Demolition order has also been passed, other appropriate steps have also been taken.

Learned counsel for the respondent No. 3 states that that respondent no. 3 is not carrying out any unauthorized construction, he further states that the property is protected under the NCT of Delhi

Laws (Special Provisions), Second Act, 2011. These are aspects which an Appropriate Forum can go into, in case Respondent No. 3 chooses to challenge the order passed by SDMC.

As the respondent/SDMC is taking steps as per law nothing further survives in the petition. The respondent/SDMC shall continue to deal with the property as per law. In case any proceedings are initiated by respondent No. 3 before the Concerned Appellate Authority, the same shall be adjudicated uninfluenced by any observations made by this Court. The petition stands disposed of.

**JAYANT NATH, J**

**FEBRUARY 13, 2020**

Hk/st