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

+ W.P.(C) 9787/2018

JAGDISH PRASAD SHARMA Petitioner
Through Mr.Prabhat Ranjan, Adv.

versus

DELHI DEVELOPMENT AUTHORITY
AND ORS. Respondents
Through Appearance not given for EDMC.
Ms.Poonam Aggarwla and Mr.Abhishek Kumar,
Advs. for R-4

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
21.01.2020

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1. This writ petition is filed by the petitioner seeking a direction to respondents No. 1 and 2 to take cognizance of the unauthorised and illegal construction going on in plot No. D-40, Sharma Market, Kalyan Marg, Mandawali Fazalpur, Delhi by respondent No. 4.
2. EDMC has already filed three different status reports. Today, a fresh report has been filed in court which is taken on record. As per the fresh status report, three parts of said plot have been booked. One part of the property has been booked under Section 343 and 344 (1) of the DMC Act in the shape of ground floor and first floor on 23.04.2018. Demolition order was notified on 25.05.2018. Sealing order was passed on 06.006.2018. Demolition action was taken on 18.04.2018 when RCC slab at ground floor

and 2 RCC panels were cut. The second part of the plot was booked under Sections 343 and 344 (1) of the DMC Act for unauthorised construction in the shape of ground floor on 23.08.2018. On 28.09.2018 part demolition took place. Sealing action has also been initiated. A third part of the property in the shape of ground floor, first floor, second floor, third floor and fourth floor was booked on 13.09.2018. Demolition and sealing action has also been taken. Further demolition is now fixed for 28.01.2020.

3. Learned counsel appearing for respondent No. 4 states that respondent No. 4 has already filed appropriate proceedings before ATMCD. He further submits that the petitioner has filed a suit for partition.

4. It is manifest that this is a family dispute which is sought to be agitated in this court. In any case, respondent No. 2-EDMC is taking appropriate steps as per law. Respondent No. 2 shall continue to deal with the property as per law.

5. With the above directions, the petition stands disposed of.

JAYANT NATH, J.

JANUARY 21, 2020/rb