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

% *Decided on: 25th January, 2021*

+ W.P.(C) 980/2021

NITIN SHARMA

..... Petitioner

Through: Mr.O.P.Aggarwal, Adv.

Versus

MUNICIPAL CORPORATION OF DELHI & ANR. Respondents

Through: Mr.Siddhant Nath, Adv. for R-1.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE JYOTI SINGH

JUDGMENT

: **D.N.PATEL, Chief Justice (Oral)**

Proceedings in the matter have been conducted through video conferencing.

1. This writ petition has been preferred with the following prayers:-

“(a) *Issue an appropriate writ by directing Respondent No.1 to book the entire premises which bearing MCD No.138-139, Kucha Ghasi Ram, Chandni Chowk, Delhi-110006 as shown in two photographs filed by Petitioner.*

(b) *Issue an appropriate writ by directing Respondent No.1 to issue notice to Respondent No.2 to stop work in respect of premises No. 138-139, Kucha Ghasi Ram, Chandni Chowk, Delhi-110006 as shown in*

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photographs as well as mentioned in the Sale Deed.

- (c) *Issue an appropriate writ by directing the Respondent No.1 to remove the entire illegal and unauthorised construction including basement in premises No. 138-139, Kucha Ghasi Ram, Chandni Chowk, Delhi-110006 as shown in the photographs as well as, as mentioned in the Sale Deed.*
- (d) *Issue an appropriate writ by directing the Respondent No.1 to register the case against Respondent No.2 in respect of illegal and unauthorised construction as stated above and constructing the basement by digging the land underneath the premises at about 8 feet deep and raise the basement. As well as in respect of raising the illegal and unauthorised construction. Further to close the coal depot which is unauthorisedly opened by Respondent No.2 in the premises on the basement and on Ground Floor.*
- (e) *Pass any such further or other orders which this Hon'ble Court may deem fit and proper in the circumstances of the case."*

2. We have heard learned counsels for the parties. Learned counsel for the petitioner submits that it would suffice for the disposal of this writ petition, if the respondents are directed to treat this petition as a representation and decide the same within a time bound schedule.

3. Looking to the facts and circumstances of the case, we hereby direct respondent No.1 to treat this writ petition as a representation and decide the same in accordance with law, Rules, Regulations and Government Policies applicable to the facts of the case and on the basis of the evidence placed on record, as expeditiously as possible and practicable, but not later than two

weeks from today, after giving adequate opportunity of being heard to the concerned parties.

4. The decision taken by respondent No.1 shall be communicated to the petitioner and/or learned counsel for the petitioner.

5. With these observations, this writ petition is disposed of.

CHIEF JUSTICE

JYOTI SINGH, J

JANUARY 25, 2021

'anb'



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