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

Judgment delivered on: 25.03.2021

+ W.P.(C) 3868/2021 & CM APPL. 11665/2021

SHRI SUNIL SINGH

..... Petitioner

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Arun Kumar Verma, Advocate (through VC)

For the Respondent: Mr. Rakesh Mittal, Standing Counsel with Ms. Yamini Mittal, Advocate for SDMC.
Ms. Mrinalini Sen Gupta with Mr. Tanmay Yadav, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks a direction to respondent Nos.1 to 4 to take action against alleged illegal and unauthorised construction and encroachment being raised by respondent Nos.5 & 6 on the subject property.
2. In response to the query as to the locus of the petitioner, it is

contended by learned counsel for the petitioner that petitioner has entered into agreement to sell with respondent Nos.5 & 6 for purchase of a portion of the property and some advance has also been paid. He submits that general public has informed that respondent Nos.5 & 6 are not the owners of the property and there is a dispute of their title. He submits that if respondent No. 4 were to confirm the title of respondents 5 and 6 then Petitioner shall pay the balance amount and purchase the property.

3. There appears to be a private civil dispute between the petitioner and respondent Nos.5 & 6 with whom petitioner is alleged to have an agreement to sell. Petition also involves disputed questions of fact.

4. This Court is not inclined to exercise its powers under Article 226 of the Constitution of India to entertain a private civil dispute between private parties or entertain a petition involving disputed questions of fact. The Petition is accordingly dismissed.

SANJEEV SACHDEVA, J

MARCH 25, 2021

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