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

% Judgment delivered on: 20th January, 2022

+ W.P.(C) 716/2021

SUBHASH CHAND

..... Petitioner

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS.

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Anubhav Mehrotra, Advocate

For the Respondent : Mr. Ajay Digpaul and Mr. Kamal, R. Digpaul, Advocates for SDMC.

Mr. Rahul Kumar, Advocate for R-3.

Mr. Jayant Mudgal, Advocate for respondents no. 4 and 5.

Mr. Satinder Singh Bawa for Advocate for Respondent no. 6.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J.

1. The hearing was conducted through video conferencing.

2. Petitioner seeks a direction to respondent/Corporation to take action against alleged unauthorized illegal construction in properties number 2/45, 2/46, 2/47 and 2/48, Jangpura A, New Delhi.



3. Status report has been filed by the Corporation in respect of each of the subject properties.

4. It is stated in the status report that properties number 2/45 and 2/47 are located on the ground floor, which does not allow any additional floor since first floor has a separate identity and accordingly, no action is proposed against properties number 2/45 and 2/47, Jangpura A, New Delhi.

5. Insofar as properties number 2/46 and 2/48 are concerned, it is stated that said properties have been booked and appropriate action in accordance with law is being taken.

6. In view of the above, this petition is disposed of, directing the respondent/Corporation to take action in accordance with law after giving due opportunity to the occupants as contemplated by law. Further, it is directed that this would be without prejudice to the rights of the occupants/owners of the said properties to defend the proceedings by initiating appropriate action in accordance with law.

7. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through e-mail by the Court Master.

SANJEEV SACHDEVA, J

JANUARY 20, 2022/NA