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

% Judgment delivered on: 31.01.2022

+ W.P.(C) 5918/2021 & CM. APPLS. 18670/2021, 19602/2021,
22191/2021, 34980/2021

INDERJEET VACHHER

..... Petitioner

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS. Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Rajat Aneja, Advocate.

For the Respondent: Mr. Ajay Digpaul Standing Counsel with Mr. Kamal R Digpaul,
Advocate for Respondent/SDMC.
Mr. Vikas Singh, Senior Advocate with Mr. CP Rajwar, Mr.
Kamal Kumar, Advocates for respondents No. 2 and 3

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The hearing was conducted through video conferencing.
2. Petitioner seeks a direction to the respondent/Corporation to take action against the alleged illegal unauthorized construction carried out by respondents No.2 and 3 in property bearing number F-68, Bali Nagar, New Delhi.
3. Learned counsel appearing for the Municipal Corporation submits that Municipal Corporation has duly taken action and passed a demolition



order dated 21.06.2021 and has also rejected the application seeking regularization of the unauthorized construction by order dated 12.08.2021. He further submits that a vacation notice dated 08.09.2021 has also been issued.

4. Learned senior counsel appearing for respondents No.2 and 3 submits that the said respondents have filed appeals against the order of demolition, order of rejection of regularization application and the vacation notice and the said appeals are pending consideration before the Appellate Tribunal, MCD.

5. Since the respondent/Corporation has already initiated action, this petition is disposed of with a direction to the respondent/Corporation to take action in accordance with law, subject to the orders to be passed by the Appellate Tribunal in the three appeals, filed by respondents No.2 and 3.

6. It is clarified that the Appellate Tribunal, MCD shall consider the appeals of respondents No.2 and 3 in accordance with law without being influenced by anything stated in this order.

7. Petition is disposed of in the above terms. All rights and contentions of the parties are reserved.

8. 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 31, 2022/NA