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

+ **W.P.(C) 496/2023 & CM APPLs. 1981/2023 AND 17887/2024**

MUKESH KUMAR

.....Petitioner

Through: None.

versus

MUNCIPAL CORPORATION OF DELHI

.....Respondent

Through: Ms. Beenashaw Soni, Standing
Counsel with Ms. Ann Joseph,
Advocate for MCD and Mr. Kushant
Kumar, (A.E.) MCD.
Mr. Bhagwan Swarup Shukla, CGSC
with Mr. Sarvan Kumar, Advocate for
UOI/ASI.
Mr. Tarang Gupta, Advocate with Mr.
Kartikeya Sharma, Advocate for the
applicant in CM APPL. 17887/2024.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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15.07.2024

1. Present public interest petition has been filed seeking a direction to demolish illegal construction in Mehruali (A-1/B), Aurbindo Marg, near Qutub Minar, New Delhi.
2. Learned counsel for MCD states that action in accordance with law has been initiated and neighbouring properties have also been booked.
3. Learned counsel for the applicant in CM APPL.17887/2024 points out that the owner/occupier of property (A-1/A), Aurbindo Marg, Mehruali,



New Delhi has filed the present application stating that on the pretext of orders passed by this Court, demolition action has been undertaken in his property and not (A-1/B), Aurbindo Marg, Mehruali, New Delhi.

4. Learned counsel for MCD states that as this area is unauthorised and illegal, no specific municipal number has been assigned to any property. She states that in any event, the owner of property (A-1/A), Aurbindo Marg has approached the Appellate Tribunal, MCD and all issues can be agitated before the said Appellate Tribunal.

5. Keeping in view the fact that the Appellate Tribunal, MCD is now seized to the controversy and the matter is listed before it on 19th September, 2024, the present writ petition and pending applications are disposed of with a direction to the Appellate Tribunal, MCD to decide the matter in accordance with law as expeditiously as possible. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 15, 2024

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