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

+ **W.P.(C) 1498/2024, CM APPL. 31184/2024 & CM APPL. 47087/2024**

M C MITTAL

.....Petitioner

Through: **Mr. Kush Sharma, Mr. Nishchaya Nigam and Mr. V. Singh, Advs.**

versus

THE COMMISSIONER, MUNICIPAL CORPORATION OF DELHI AND ORS

.....RespondentS

Through: **Ms. Bahuli Sharma, ASC for MCD. Mr. Praveen Kumar Mehndiratta, Mr. Ashok Gulati, Mr. Vikas Garg, Advs for R-2. Mr. Sandeep Sharma, Mr. Amit Choudhary and Ms. Kavya Dauk, Advs. Mr. Mohit Bhardwaj, Adv. for R-4, SHO, PS: Janakpuri, Delhi Police. Mr. Rishab Raj Jain, SC for BSES with Mr. Sharique Hussain, Adv for R-5.**

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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04.09.2024

1. The petitioner in the instant writ petition has prayed for the following reliefs:-

“A. issue a Writ in the nature of Mandamus or any other Writ(s), Order(s), Direction(s), thereby directing Respondent No. 1, 4 & 5 to take appropriate steps towards the illegal construction raised over the property



bearing no. C6B-188 and C6B-190 Janakpuri, New Delhi-11 0058 duly booked under Sec 343, 344 of the DMC Act and pass such necessary orders for the demolition of the above said illegal construction.

B. issue a Writ in the nature of Mandamus or any other Writ/ Order/ Direction thereby directing Respondent No. 5 to upkeep all the electrical poles in the society and ensure no tampering/ encroachment of electric poles and high-voltage wires.”

2. There is a counter affidavit filed by respondent No.3, who controverts the averments made in the writ petition.
3. The counter affidavit has also been placed on record by respondent No.5.
4. Learned counsel appearing for the respondent-Corporation, however, submits that with respect to property C6B-190, Janakpuri, New Delhi, after revocation of the regularisation, the demolition action is scheduled for 30.09.2024. She further submits that the process for revocation of regularisation with respect to property No.C6B-188, Janakpuri, New Delhi is also under way. The statement of MCD is taken on record. Let the respondent-Corporation to take necessary steps in accordance with law with due expedition.
5. Although the aforesaid contention is opposed by learned counsel appearing for the petitioner who submits that the decision with respect to another property has also been taken. The said issue, at this stage, is not required to be adjudicated.
6. The petitioner is granted liberty to approach the Special Task Force [“STF”] in case the respondent-Corporation fails to take necessary action within a period of two months from today.
7. In case the petitioner approaches the STF, his grievance shall be considered with due expedition.



8. Learned counsel appearing for respondent No.2 presses the application being CM APPL. 31184/2024. He points out that even the construction of the petitioner with respect to premises being C6B-189 Janakpuri, New Delhi is also unauthorised.

9. Respondent No.2 is also at liberty to approach the STF with respect to the grievance raised in the instant application. If respondent No.2 does so, let the same be dealt with due expedition.

10. With the aforesaid directions, no further orders, at this stage, are required to be passed.

11. Accordingly, the petition stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

SEPTEMBER 4, 2024/P