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

+ W.P.(C) 2988/2024 & CM APPL.12312/2024

GAURAV BHAGHLA AND ORS.

..... Petitioners

Through: Mr.Sanjay Ghosh, Sr.Advocate with
Mr.Maanish Choudhary and Mr.Ajat
Singh Rawat, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

..... Respondents

Through: Mr.Harsh Singhal, Advocate with
Mr.Utkarsh Singhal and Ms.Mugdha
Avnish Sharma, Advocates for R-1.
Mr.Akhil Hasija, Advocate with
Mr.Pankaj Tandon, Advocate for R-2.
Ms.Mrinalini Sen, Standing Counsel
with Ms.Madhawi Agarwal,
Advocates for R-3.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

29.02.2024

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1. Present writ petition has been filed by the Petitioners seeking directions to the Respondent No.1/MCD not to carry out any demolition action on the property in question i.e. Khasra No. 189, Old Lal Dora, Village Kakrola, Dwarka, New Delhi and to further direct the Respondent No. 2 (BSES) to restore the electricity connections of the Petitioners.



2. Learned senior counsel for the Petitioners states that partial demolition action has been carried out without giving any notice of demolition. He states that only a sealing notice had been served upon the Petitioners.

3. Learned counsel for the Respondents states that this Court vide order dated 8th January, 2024 had disposed of W.P.(C) 189/2024 (alleging unauthorised construction in collusion with officials of the MCD and a Municipal Councillor) with directions to the Chairman, Special Task Force to treat the said writ petition as a representation and to decide the same within four weeks.

4. This Court is of the view that the Appellate Tribunal, MCD is the specialised forum to deal with the demolition and sealing cases. Consequently, the present writ petition along with pending application is disposed of with liberty to the Petitioners to agitate their grievances before the Appellate Tribunal, MCD. It is clarified that the Appellate Tribunal, MCD shall decide the matter in accordance with law without being influenced by the order dated 8th January, 2024 passed by this Court. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 29, 2024/TS