



\$~3

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

+ **W.P.(C) 3142/2024&CM APPL. 12866/2024**

ARUN PRABHA DUBE

..... Petitioner

Through: Mr. Saurabh Sharma and Mr.
Ashutosh Ranjan, Advs.

versus

MUNICIPAL CORPORATION OF DELHI SOUTH ZONE & ANR.

..... Respondents

Through: Mr. Ajjay Arora, SC along with Mr.
Kapil Dutta, Mr. Vansh Luthra and
Mr. Simran Arora, Advs. for MCD.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

06.03.2024

%

1. The present petition has been filed by the petitioner assailing a notice dated 08.02.2024, bearing No.1950/Bldg.-I/SZ/2024 issued by Asstt. Engineer (Bldg.), South Zone i.e. respondent no.2. The said notice reads as under:

***“MUNICIPAL CORPORATION OF DELHI
(BUILDING DEPARTMENT)-I
SOUTH ZONE : GREEN PARK : NEW DELHI***

No. 1950/Bldg.-I/SZ/2024

Dated: 08.02.2024

*Smt. Arun Prabha Dube,
DDA Flat No.A-30C (1st Floor), Munirka,
New Delhi.*

*Subject: **HEARING NOTICE***

(w.r.t. proceedings initiated U/s 343 & 344 of DMC Act – on account of unauthorized construction, in the shape of excess coverage/ deviations against DDA's standard plan at Flat No. A-30C (First Floor), Munirka, New Delhi)



Reference: File No. 10/UC/B-I/SZ/2024 dated 18.01.2024

Madam,

In this particular instance, taking note of your submissions dated 29/01/2024, the department is going to extend opportunity of personal hearing for 16/02/2024 at 03.30 PM, enabling to substantiate your legitimate position, with supporting documents.

It is, therefore, requested to attend the hearing proceedings, as per schedule, along with documents, in support of your contention.

***Asst. Engineer (Bldg.)
South Zone***

2. The aforesaid hearing notice has been issued in the background of a show cause notice under Section 344(1) and 343 of the DMC Act, having been sent to the petitioner. The same has been filed and annexed as Annexure-P2 with the present petition.
3. Learned counsel for MCD, submits, on instructions that since there was no appearance on behalf of the petitioner on 16.02.2024, the hearing has been re-scheduled on 20.03.2024 at 02.00 PM before the concerned Asstt. Engineer (Bldg.), South Zone.
4. In the circumstances, the present petition is disposed of with liberty to the petitioner to participate in the hearing scheduled before the concerned Asstt. Engineer (Bldg.), South Zone on 20.03.2024 at 02.00 PM.
5. Let a reasoned order be passed by the concerned Asstt. Engineer (Bldg.), South Zone, taking into account the submissions made by the petitioner or her authorized representative during the aforesaid hearing.
6. The present petition stands disposed of in the above terms.

MARCH 6, 2024/cl

SACHIN DATTA, J