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

+ **CONT.CAS(C) 431/2024 & CM APPL. 15744/2024**

ASHRAF

..... Petitioner

Through: Mr. Arun Kumar Verma, Advocate.

versus

SHRI S K SINGH

..... Respondent

Through: Mr. Sanjeev Sabharwal, Standing
counsel, MCD with Ms. Shweta
Singh, Advocate.
(M): 9810031680
Email: solicitor6@gmail.com
Mr. Abhinav Singh with Ms. Bhavi
Garg, Advocates for Delhi Police.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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14.03.2024

CM APPL. 15744/2024 (for exemption)

1. Exemption allowed, subject to just exceptions.
2. Application is disposed of.

CONT.CAS(C) 431/2024

3. The present petition has been filed alleging willful disobedience of the order dated 03rd October, 2023 passed in *W.P. (C) No. 12913/2023*. By way of the said order directions had been issued to the respondent for taking action with respect to the illegal and unauthorised construction in property bearing no. C-312, Shaheen Bagh, Abul Fazal Part-2, New Delhi-110025.



4. Learned counsel appearing for the petitioner submits that despite categorical directions by this Court, requisite action has not been taken by the respondent-Municipal Corporation of Delhi (“MCD”).
5. Mr. Sanjeev Sabharwal, learned Standing Counsel appearing for MCD on advance notice, submits that demolition action in the property was taken on 06th January, 2024. Learned counsel has shown the photographs of the property and submits that the roofs of different floors of the property have been punctured and the property has been rendered inhabitable. He further submits that the property in question was sealed on 06th March, 2024 and further action shall be taken in accordance with law.
6. It is submitted that no further unauthorised construction is going on in the property in question, in view of the sealing action having been taken by the MCD on 06th March, 2024.
7. Learned counsel appearing for the MCD further submits that in the present petition the name of Deputy Commissioner that has been shown is of a person, who was posted in the said area many years ago. He, thus, submits that the petition has been filed without even checking the correct name of officers.
8. Considering the aforesaid statement made by learned counsel appearing for the respondent/MCD, the present petition is disposed of, with directions to the MCD to ensure that further requisite action is taken against the unauthorised construction existing in the property in question.
9. It is further directed that in case any further action is fixed by the MCD for taking action against the unauthorised construction, the local police shall render full assistance to the MCD at the time of taking such action.



10. With the aforesaid directions, the present petition is disposed of.

MINI PUSHKARNA, J

MARCH 14, 2024

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