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

+ **W.P.(C) 4296/2024 & CM APPL. 47920/2024**

SH SUNIL KUMAR SHARMAPetitioner

Through: None

versus

MUNICIPAL CORPORATION
OF DELHI AND ANRRespondents

Through: Ms. Khushboo Nahar, ASC for R1
Mr. Neeraj, SPC with Mr. Vedansh
Anand, G.P.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
18.11.2024

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1. The petitioner has filed this petition under Article 226 of the Constitution, for a direction upon respondent No. 1/the Municipal Corporation of Delhi ["MCD"] to take action in respect of alleged illegal construction in property *No. H-55, Main Bazar, Vijay Chowk, Laxmi Nagar, Delhi-110092* ("subject property"). It is the contention of the petitioner that illegal construction has been raised by respondent No. 2 herein.
2. The petitioner was unrepresented on the last date of hearing and also remains unrepresented today.
3. MCD has filed three status reports in response to the writ petition.
4. In the first status report dated 24.05.2024, MCD stated that a



building plan has been sanctioned on 15.10.2023, under the SARAL scheme. However, on inspection, it was found that unauthorised construction had been undertaken, as a result of which, a show cause notice dated 05.04.2024, was issued to respondent No. 2. In the absence of a reply, a demolition order was passed on 19.04.2024.

5. In the second status report dated 07.09.2024, it has been stated that partial demolition action was taken on 23.08.2024, sealing action was taken on 03.09.2024 and further demolition/sealing action was taken on 06.09.2024.

6. The latest status report dated 20.09.2024, further records that demolition action was again taken on 17.09.2024 and 18.09.2024, and the property was re-sealed.

7. Ms. Khushboo Nahar, learned Additional Standing Counsel appearing for the MCD, states that excess construction has, however, been removed by the owners/occupants of the property and a completion certificate has been issued on 18.10.2024. A copy of the completion certificate is handed up in Court and is taken on record.

8. In view of the above submission of MCD that the excess construction has been removed, the writ petition is disposed of.

9. Since the petitioner is unrepresented, it is directed that, in the event the petitioner has any further grievance with regard to unauthorised construction, he is at liberty to approach the Special Task Force [“STF”], constituted by the Supreme Court vide orders dated 24.04.2018 and 18.07.2018 in W.P.(C) 4677/1985 [*M.C. Mehta vs Union of India & Ors.*]. This direction is made with reference to the decisions of the Division Bench in *Devender vs. Govt. of NCT of Delhi and Ors* [order



dated 20.09.2018 in W.P.(C) 1807/2018], *Sneh Lata & Anr. vs. North Delhi Municipal Corporation & Anr.* [order dated 08.04.2019 in LPA 245/2019], *Fazruddin vs. DDA & Ors.* [order dated 23.04.2019 in WP (C) 4649/2017], and in *Himanshu vs. East Delhi Municipal Corporation & Anr.* [order dated 31.07.2023 in W.P.(C) 8104/2022], and decisions of Coordinate Benches in *Abdul Gaffar vs South Delhi Municipal Corporation & Ors.* [order dated 28.02.2019 in W.P.(C) 1773/2019] and *Rashiduddin Malik vs. MCD & Ors.* [order dated 02.09.2024 in WP (C) 12102/2024].

PRATEEK JALAN, J

NOVEMBER 18, 2024/uk/