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

+ **W.P.(C) 5548/2024 & CM APPL. 22889/2024**

QAISAR SULTANA (SR. CITIZEN) AND ORS. Petitioner

Through: Mr. Mir Akhtar Hussain, Advocate
with Ms. Sonia Goswami, Advocate
(Through VC)

versus

MUNICIPAL CORPORATION OF DELHI AND ORS.

..... Respondent

Through: Mr. Kapil Dutta, Standing Counsel
for MCD (Through VC)

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% 18.04.2024

1. The present petition has been mentioned for urgent listing and has been taken up in pursuance thereto at 06:00 P.M. today.
2. Learned counsel for the Petitioners states that the Petitioners are the residents of property bearing No. 259/5B & 5B, Khasra No. 670/27, 28 & 29, Village Lado Sarai, Aurobindo Marg, Mehrauli, New Delhi-30 ('subject property').
 - 2.1. He states that the present petition has been filed as on 16.04.2024, some persons, who identified themselves as officers and staff of Respondent No. 1 i.e., MCD had visited the subject property for inspection and apprised the Petitioners that they have received a complaint of unauthorised



construction. He states that no authorised construction has been carried out in the subject property, which would merit any action by Respondent No. 1.

2.2. He states that the said persons also informed the Petitioners that the subject property has been booked for demolition scheduled on 18.04.2024.

3. Mr. Kapil Dutta, learned standing counsel for MCD, who appears on advance service states, on instructions from Mr. Majid, Assistant Engineer, South Zone, that as per record, the subject property has not been found booked. He states that no officers of the Respondent No. 1 visited the suit property on 16.04.2024. He further states that no demolition action is proposed on 18.04.2024. He states that therefore, the cause of action pleaded in the present petition is misconceived.

3.1. Mr. Dutta states that it is needless to state that however, this does not preclude the Respondent No. 1 from taking action in accordance with law.

4. Learned counsel for the Petitioner states that in view of the aforesaid statement of the learned standing counsel, Respondent No. 1, he does not wish to press the present petition as he is satisfied with the said statement.

5. Accordingly, the present petition along-with application stands disposed of as satisfied.

MANMEET PRITAM SINGH ARORA, J

APRIL 18, 2024/rhc