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

+ **W.P.(C) 8498/2023 & CM APPL. 32362/2023**

MARAZBAN NARIMAN ZAIWALLA

.....Petitioner

Through: Mr. Ranbir Singh, Mr.
Harshvardhan Sharma & Mr. D.
Yudhishter, Advocates. [M:-
9818271747]

versus

**MUNICIPAL COPORATION
OF DELHI & ORS.**

.....Respondents

Through: Mr. Vishal Raj Sehijpal, SC for
MCD with Ms. Priyanka, Advocate
for R-1/MCD.
Mr. Sarim Naved, Advocate for R-
3 with R-3 in Person. [M:-
9999821341]

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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04.11.2024

1. The petitioner has filed this petition, under Article 226 of the Constitution, complaining of alleged unauthorised construction in property *Flat No. F-16C, F Block, Saket, New Delhi-110017* ["subject property"].
2. The status report dated 03.10.2023, filed by Municipal Corporation of Delhi ["MCD"], states that deviation against the standard plan of Delhi Development Authority was found in the subject property, and a



demolition order was passed on 26.09.2023. A further status report dated 10.08.2024 states that demolition action has also been taken on 09.08.2024.

3. In view of the above, no further orders are required in this petition, which stands disposed of.

4. Mr. Ranbir Singh, learned counsel for the petitioner, states that the petitioner remains aggrieved by certain additional unauthorised construction in the subject property, which has not yet been demolished, for which purpose he will 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.*]. The petitioner is at liberty to do so, if he is so advised. In the event, a complaint is made within the period of two weeks from today, STF is directed to look into the complaint and take necessary action expeditiously. 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].

5. This order is without prejudice to the rights and contentions of the



owners/occupants of the subject property, whose rights and remedies, available in law, are expressly reserved. MCD is directed to take action strictly in accordance with law, and after complying with all statutory requirements.

6. The writ petition, alongwith the pending application, is disposed of with the aforesaid directions.

PRATEEK JALAN, J

NOVEMBER 4, 2024

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