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

+ **W.P.(C) 6163/2024**

AJAY KUMAR

..... Petitioner

Through: **Mr. Rachit Batra and Mr. Nikhil
Singh Raman, Advs.**

versus

MUNICIPAL CORPORATION OF DELHI & ORS..... Respondents

Through: **Mr. Vikas Chopra, (SC) Adv.
(through VC) for R-1/MCD.**

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

07.05.2024

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1. The present petition raises a grievance as regards alleged illegal and unauthorized construction at property bearing No.15, Ward No.9, in Khasra No.1238, Village Kishan Garh, New Delhi, area measuring 400 sq. yards.
2. Learned counsel for the MCD, who appears on advance notice, while disputing the maintainability of the present petition on the ground of pendency of a civil suit for partition initiated by the petitioner, submits that the property in question has been inspected and sealing action has already been taken *qua* the first, second and third floor of the property in question.
3. He submits that further requisite action, as may be warranted, shall be taken expeditiously, in accordance with law, to remove the unauthorized construction, if any.
4. In view of the aforesaid statement made by the learned counsel for the MCD, the petitioner does not wish to press the present petition at this stage; the same is accordingly dismissed as withdrawn.



5. Needless to say, in case there is any deficiency in the action taken by the respondent no.1/MCD, the petitioner shall be at liberty to avail appropriate legal remedies.

SACHIN DATTA, J

MAY 7, 2024/r