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

+ W.P.(C) 6202/2024 & CM APPL. 64094/2024

NAYA UGATA SURAJ SEWA SAMITI (REGD.)Petitioner

Through: Mr. G.S. Tiwari & Mr. Siddhant
Jain, Advocates.

versus

MUNICIPAL CORPORATION
OF DELHI & ORS.

.....Respondents

Through: Ms. Beenashaw Soni, SC for MCD
with Ms. Mansi Jain, Advocate for
MCD.
Ms. Nikita Bhutani, Advocate for
R-2/GNCTD.
Mr. Prashant Mancha, Advocate
for R-3.
Mr. Amit Kumar & Ms. Khushboo
Sharma, Advocates for R-4.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
06.11.2024

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1. The petitioner, which claims to be a society registered under the Societies Registration Act, challenges alleged illegal and unauthorised construction on property bearing No. WZ-508, *Basai Darapur, New Delhi-110015*.

2. After some hearing, learned counsel for the petitioner seeks permission to withdraw this writ petition with liberty to approach the



Special Task Force 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.*], or to file a writ petition in the public interest litigation jurisdiction of this Court. This submission 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].

3. The writ petition, alongwith the pending application, is dismissed as withdrawn with liberty as aforesaid.

4. It is made clear that this Court has made no observation upon contents of the writ petition, and the rights and contentions of the parties are reserved.

PRATEEK JALAN, J

NOVEMBER 6, 2024

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