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

+ **W.P.(C) 9931/2022 & CM APPL 29142/2022**

DR. SATYA PAL SINGH

.....Petitioner

Through: Ms. Manasi Chatpalliwar, Mr. Aditya Singh, Mr. Shobhin Bali and Mr. Aayush, Advs.

Versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS.

.....Respondents

Through: Mr. Ajjay Arora, Adv. for MCD
Mr. Abhishek Kaushik, Adv. for R-4 and 5

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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07.08.2024

1. The respondent-Corporation has handed over a copy of the further Status Report dated 05.08.2024 in Court today, which is taken on record.

2. The paragraph Nos. 3 and 4 of the Status Report reads as under:-

“3. That, in between the respondent/MCD has come across that in terms of provisions made under Chapter-IV of Unified Building Bye Laws-2016; the owner through her registered Architect has obtained building plan/permit.

4. That, the said plan has been obtained under SARAL Scheme, which implies that the authenticity or genuineness of the proposal solely vest with the applicant and her Architect. Since, on its face, it has been found that the permission has been obtained by misrepresentation; proceedings U/s 338 of DMC Act for revocation of building plan/ permit is under contemplation. Simultaneously, the owner/builder has been directed to stop the construction activity at once and the respondent/MCD is also keeping strict watch. Photographs showing the present site position are annexed



herewith, as Annexure-A (Collv.). ”

3. It is thus seen that the respondent-Corporation itself has realised that the permission in question was obtained by misrepresentation and accordingly the proceedings under Section 338 of the Delhi Municipal Corporation Act, 1957 for revocation of the building plan is under contemplation.
4. In view of the stand taken by the respondent-Corporation, the Court, at this stage, is not inclined to keep this petition pending on its Board and instead bind the Corporation to adhere to its stand taken in the further Status Report and further directs to take the issue to its logical end.
5. The petitioner is also granted liberty to approach the Special Task Force which has been constituted in pursuant to the directions passed by the Supreme Court *vide* order dated 24.04.2018 in the ***M.C. Mehta v. Union of India*** in case there remains further grievance against the Corporation.
6. With aforesaid observations, the petition stands disposed of.

PURUSHAINDRA KUMAR KAURAV, J

AUGUST 7, 2024

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