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

+ W.P.(C) 6424/2024 & CM APPL. 26683/2024

POONAM

..... Petitioner

Through: Mr. Atul Varma and Nagender
Vashisht, Advocates

versus

MUNICIPAL CORPORATION
OF DELHI AND ORS

..... Respondents

Through: Mr. Ashutush Gupta, ASC for MCD
(Through video conferencing), Mr.
Anil Kr. Gupta and Mr. Arman
Monga, Advocates for MCD.
Mr. Rishabh Srivastava, Advocate for
Mr. Santosh Kumar Tripathi,
Advocate for respondent No.2 with SI
Shourabh Malik, PS Vijay Vihar.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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06.05.2024

1. Present Public Interest Litigation has been filed seeking directions to the respondents No.1 and 2 to stop and seal the illegal and unauthorized construction taking place at (a) E-14/2, Khasra No. 77/10/11, Vijay Vihar Phase-I, Delhi; (b) H-56, Vijay Vihar Phase-I, Delhi; (c) J-27, Vijay Vihar Phase -I, Delhi; (d) C-14, Vijay Vihar Phase-I, Delhi, being carried out by respondent No. 3.
2. Learned counsel for the petitioner states that respondent No.3 is carrying out illegal and unauthorized construction at the aforesaid areas by



encroaching upon public land and without obtaining sanction of building plan or necessary approvals from the respondent No.1-MCD, thus in violation of MCD bye-laws. He states that he has not received any response to the undated representation addressed to the District Collector, Rohini and respondent No. 2-Commissioner of Police.

3. This Court is of the opinion that the petitioner has not approached the correct authorities prior to filing of the present writ petition. Consequently, this Court directs the present writ petition to be treated as a representation to the STF which is the nodal agency looking after the unauthorised and illegal construction in Delhi. The STF is directed to decide the said representation in accordance with law as expeditiously as possible and ensure that appropriate action is taken, if required.

4. Learned counsel for MCD is directed to forward the writ petition to the office of the STF forthwith.

5. With the aforesaid direction, the present writ petition and application are disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 6, 2024

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