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

+ W.P.(C) 6461/2024 & CM APPLs.37513-37514/2024 and 48812/2024

HIMANSHU

.....Petitioner

Through: Mr.Vivek Sharma, Advocate with
Mr.Prashant Chaudhary, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr.Ashutosh Gupta, ASC for MCD
along with Sh.Deepak Goel (Ex.
Engg.[B]), Sh.B.Sriniwas (AE[B]),
EE(M III/SHN), Mr.Ashok Kanodia
(AE (MIII/SHN) and SMR Zaidi.
Mr.P.S.Rajput, Advocate for
applicant in CM APPL.37513-
37514/2024

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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03.09.2024

1. Learned counsel for the Respondent-Municipal Corporation of Delhi ('MCD'), on instructions of Sh.Deepak Goel (Ex. Engg.[B]), Sh.B.Sriniwas (AE[B]), EE(M III/SHN), Mr.Ashok Kanodia (AE (MIII/SHN) and SMR Zaidi, who are personally present in Court, states that the property bearing No.702, Kabul Nagar, G.T.Road, Loni Road, Shahdara, Delhi-110032 has been constructed in accordance with the sanctioned building plan. He further states that the deviations have also been regularised in the said property. He also clarifies that there is no encroachment of public land by the owner of the property bearing No.702, Kabul Nagar, G.T.Road, Loni Road, Shahdara, Delhi-110032.



2. Learned counsel for the MCD states that the owner of the commercial building A-14 (Sona Mithai Wala), West Jyoti Nagar Extension, 100 Futa Road, Shahdara, Delhi-110094 had approached the Appellate Tribunal, MCD who has remanded the matter to MCD for reconsideration. He states that MCD has subsequently issued a vacation notice to which the present owners have filed a response and the same is being considered. MCD is directed to pass a speaking order within two weeks disposing of the reply to the vacation notice.

3. Learned counsel for the MCD also states that the owners of Plot No. C-50, adjoining to Varsha Travels, Gali No.6 (Corner Building), 100 Futa Road, Jyoti Colony, Delhi-110032 have approached the Appellate Tribunal, MCD – where the matter is currently subjudice.

4. In view of the aforesaid statement, the present writ petition and applications are closed.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

SEPTEMBER 3, 2024
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