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

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**W.P.(C) 6602/2024**

**SOUTH PATEL NAGAR 9 BLOCK AND RANJIT NAGAR  
RESIDENTS WELFARE ASSOCIATION** ..... Petitioner

Through: Mr. Vikrant Chawla, Ms. Arshya Singh  
and Mr. Siddhant Dutt, Advs.

versus

**UNION OF INDIA & ORS.** ..... Respondents

Through: Ms. Avshreya Pratap Singh Rudy,  
SPC, Mr. Kanisk Kharbanda, GP and  
Ms. Usha Jamnal, Adv. for UOI.  
Ms. Prabhsahay Kaur, SC and Mr. Bir  
Inder Singh Gurm, Adv. for R-2/DDA.  
Mr. Ashutosh Gupta, ASC along with  
Mr. Arman Monga, Adv. for MCD.  
Mr. Prashant Manchanda, ASC along  
with Ms. Nancy Shah and Mr. Haridas  
Medha, Advs. for R-4 and 5.

**CORAM:**

**HON'BLE MR. JUSTICE SACHIN DATTA**

**ORDER**

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**09.05.2024**

**CM APPL.27509/2024 (Exemption)**

Allowed, subject to all just exceptions.

Application stands disposed of.

**W.P.(C) 6602/2024 and CM APPL.27508/2024 (Stay)**

1. The present petition has been filed by the petitioner being aggrieved by the alleged illegal operation of e-libraries, gyms, commercial office in No.9 Block, South Patel Nagar, Ranjit Nagar, New Delhi-110008.
2. It is submitted that the respondent/MCD is not discharging its statutory responsibility of preventing the use of the premises for the purpose



of the aforesaid unauthorized activities.

3. Reference has been made to the following premises in the writ petition where unauthorized activities are allegedly been carried out:

| Sr. No. | House No. | Floor        | Activity  | Area              |
|---------|-----------|--------------|-----------|-------------------|
| 01.     | 9/1       | Basement     | Gym       | South Patel Nagar |
| 02.     | 9/6       | Basement     | Gym       | South Patel Nagar |
| 03.     | 9/9       | Basement     | Office    | South Patel Nagar |
| 04.     | 9/10      | Basement     | E-library | South Patel Nagar |
| 05.     | 3285      | Ground Floor | E-library | Ranjit Nagar      |
| 06.     | 3288      | Basement     | E-library | Ranjit Nagar      |

4. Learned counsel for MCD, who appears on advance notice submits that the property in question shall be duly inspected within a period of four weeks from today and if any unauthorized activity is found to be carried out or proposed to be carried out and/or any unauthorized construction in the form of deviation *qua* the sanction plan and/or non-compliance with fire related regulations/byelaws is found, appropriate action in accordance with law shall be taken after following due process of law and after giving notice to the owner/occupier of the property in question.

5. The above statement by learned counsel for the MCD is taken on record.

6. In view of the aforesaid, learned counsel for the petitioner does not wish to press the present petition at this stage. The same is accordingly disposed of.

7. In case, there is any deficiency in the action taken by the MCD, the petitioner shall be at liberty to avail appropriate legal remedies in accordance with law.

**MAY 9, 2024/cl**

**SACHIN DATTA, J**