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

+ **W.P.(C) 6622/2024, CM APPL.27548/2024 (for directions)**

SMT MANJOOLA AND ANR.

..... Petitioners

Through: Mr. Pankaj Sharma and Ms. Ayushi
Mittal, Advs.

versus

STATE OF NCT DELHI AND ORS.

..... Respondents

Through: Mr. Ashutosh Gupta, ASC and Mr.
Arman Monga, Advs. for R-2/MCD.
Mr. Arun Birbal and Mr. Sanjay
Singh, Advs. for R-3/DDA.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

09.05.2024

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1. The present petition has been filed by the petitioner seeking that the respondent no.2/MCD be restrained from taking any illegal demolition action *qua* the petitioner's residential premises i.e. House No.405, Gali No.16, B-Block, Sant Nagar, Burari, New Delhi-110084.
2. Further, the petitioner seeks that necessary action be taken against the officials of respondent no.2/MCD who have carried out the illegal demolition action with regard to the petitioner's property.
3. After some hearing, the present petition is disposed of with the following directions:
 - (i) If any further demolition action is proposed to be carried out with regard to the petitioner's premises, a prior show cause notice and an opportunity of hearing shall be afforded to the petitioner.



(ii) If the petitioner is aggrieved by any subsisting demolition order, it shall be at liberty to avail its statutory/appellate remedies with regard thereto. It shall also be open to the petitioner to seek appropriate interim relief from the concerned appellate forum, which shall be considered on its own merits.

4. In view of the aforesaid directions, the petitioner does not press his relief regarding monetary damages and other reliefs against the respondents at this stage. However, liberty is granted to the petitioner to avail appropriate remedies under law in case the respondent/MCD resorts to any demolition action in derogation of the above directions.

5. With the aforesaid directions, the present petition alongwith pending application stands disposed of.

SACHIN DATTA, J

MAY 9, 2024/cl