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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7019/2024**

RAMAN KOHLI & ANR.

..... Petitioners

Through: Mr. Manu Sishodia and Ms. Hina
Rajput, Advs. along with petitioners in
person.

versus

MUNICIPAL CORPORATION OF DELHI & ANR..... Respondents

Through: Mr. Sanjeev Sabharwal, SC and Ms.
Shweta Singh, Adv. for MCD.
Mr. Himanshu Anand and Ms. Dharini
Windlass, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

28.05.2024

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1. The present petition raises a grievance as regards the unauthorized construction at the properties as under:

- (i) Property No.8755/14-B, Shidipura, Karol Bagh, New Delhi;
- (ii) Shop at ground floor in property bearing No.8756/14-B, Shidipura, Karol Bagh, New Delhi;
- (iii) Shops at ground floor in property bearing No.8739/14-B, Shidipura, Karol Bagh, New Delhi;
- (iv) Shop at ground floor in property bearing No.8741/14-B, Shidipura, Karol Bagh, New Delhi; and
- (v) Shops at ground floor in property bearing No.8926/14-B, Shidipura, Karol Bagh, New Delhi.

2. Learned counsel for the owner/occupier of the property in question,



who appears on advance notice submits that the properties are quite old and are protected under Delhi Laws (Special Provisions) Act.

3. Be that as it may, learned counsel for the MCD submits that the MCD shall consider the present petition as a representation and pass a speaking order thereon, after affording an opportunity of hearing to the petitioner within a period of four weeks from today. It is directed accordingly.

4. If necessary, the MCD shall also afford hearing to the owner/occupier of the properties in question before passing a speaking order.

5. If so warranted upon conclusion of the aforesaid exercise, necessary action to remove any unauthorized construction shall be taken by the MCD in accordance with law.

6. Needless to say, any action proposed to be taken by the MCD *qua* the property in question shall be subject to the statutory/appellate remedies of the owner/occupier of the properties.

7. The present petition stands disposed of in the above terms.

SACHIN DATTA, J

MAY 28, 2024/cl