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

+ **W.P.(C) 7047/2024**

VIKAS CHAUDHARY

..... Petitioner

Through: Mr. Ruchir Mishra, Mr. Ramneet
Mihsra, Mr. Rupinder Pal singh and
Mr. Vikas Chaudhary, Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ORS..... Respondents

Through: Mr. Abhinav S. Aggarwal, Adv. for
R-1/MCD.
Mr. Arun Panwar and Ms. Prashansa
Sharma, Advs. for R-2.
SI Lokesh Kumar, PS New Friends
Colony.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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16.05.2024

CM APPL.29383/2024 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 7047/2024

1. The present petition raises a grievance as regards the unauthorized construction at property admeasuring 43 sq. yd. bearing No.100A, Gali No.16, Bharat Nagar, New Delhi.

2. Learned counsel for the MCD, who appears on advance notice submits that the property in question has been inspected and the entire construction raised thereon has been found to be unauthorized. He submits



that part demolition action in respect of property has already been taken.

3. Learned counsel for the petitioner submits that the demolition action taken by the MCD is only cosmetic in nature and the unauthorized construction continues unabated.

4. At this stage, learned counsel for the respondent submits on instructions, that further demolition action has been scheduled in respect of the property on 20.05.2024, on which date, the entire unauthorized construction shall be demolished.

5. It is further assured that no portion of the unauthorized construction shall be allowed to subsist and that the demolition action shall be taken qua the entire property in question. The above statement is taken on record.

6. The concerned SHO, PS New Friends Colony shall render appropriate assistance to the MCD for the purpose of the action proposed to be taken.

7. Needless to say, any action that is proposed to be taken is subject to the statutory/ appellate remedies of the owner/ occupier of the property in question.

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

9. Let a compliance affidavit be filed by the respondent/MCD within a period of eight weeks from today.

10. In case the MCD is remiss in taking requisite action, the petitioner shall be at liberty to take appropriate steps to hold the concerned official/s personally liable for any lapse/omission in this regard.

SACHIN DATTA, J

MAY 16, 2024/cl