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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 7091/2024 & CM APPL. 29594/2024
JEET FOUNDATION (NGO) THROUGH ITS PRESIDENT SH.
HARVINDER SINGH LAMBA Petitioner

Through: Mr. Lave Kumar Sharma, Ms.
Deepshikha, Ms. Shivanee and Ms.
Tanu, Advocates

versus

THE COMMISSIONER, MCD AND ORS. Respondent

Through: Mr. Mohit Bhardwaj, Advs. for R-2
and R-3.
SI Ashish, PS Shaheen Bagh.
Mr. Sanjeev Sagar, SC, MCD with
Ms. Nazia Parveen, Mr. Yadav
Birandra, Mr. Deepanshu Mishra, Mr.
Akhilesh Kumar Yadav, Mr. Vishal
Kumar Yadav and Mr. Ashish Shukla,
Advs.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **17.05.2024**

1. Present public interest petition has been filed seeking issuance of directions to Respondents No.1 to 3 to demolish the illegal construction at property no. 1060 to 1063 at Kuncha Natwa, Chandni Chowk, Delhi raised by Respondent no.4 without following building bye laws and without obtaining sanction plan from the concerned department.



2. Learned counsel for the Petitioner states that in September 2022, the subject property along with surrounding building caught fire incurring a lot of damage. He states that it took Respondent no.2 (Fire and Safety Department) more than seven days to control the said fire. He states that in November 2022, Respondent No.4 started re-construction of the subject property and the construction of four floors stands completed.
3. He states that the Petitioner made a complaint dated 21st July, 2023 to Respondents No.1 to 3 in respect of the said unauthorized & illegal construction undertaken by Respondent no. 4.
4. Learned counsel for MCD, who appears on advance notice, states that after the fire, MCD had issued an advisory dated 28th September, 2022 directing the respondent to carry out repairs and submit a structural stability certificate.
5. Keeping in view the aforesaid, this Court directs that the present petition be treated as a representation to the Deputy Commissioner, City SP Zone who, in turn, is directed to decide the same by way of a speaking order in accordance with law, as expeditiously as possible. The rights and contentions of all the parties are left open.
6. With the aforesaid direction, the present petition stands disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 17, 2024

N.Khanna