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

+ **W.P.(C) 7431/2024**

RAJ BALA

..... Petitioner

Through: **Mr. Ishan Sanghi and Ms. Poorvashi
Kalra, Advs.**

versus

MUNICIPAL CORPORATION OF DELHI

..... Respondent

Through: **Mr. Puneet Yadav, ASC for MCD.**

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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22.05.2024

CM APPL. 30962/2024 (Exemption filing certified/ legible copies of documents)

Allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 7431/2024

1. The present petition raises a grievance as regards alleged unauthorized construction at property bearing No.F-133, Naaiwala Mohalla near Uprai Chaupal, Village Mahipalpur, New Delhi-110057.
2. The petitioner is stated to be residing in the neighbourhood and submits that not only rampant unauthorized construction is being carried out, there is also significant encroachment upon the public street.
3. Learned counsel for the respondent/MCD, who appears on advance notice, submits that the property in question has been booked for unauthorised construction and a demolition order has also been passed qua



the unauthorized construction.

4. He submits that the demolition action scheduled earlier was deferred due to non-availability of the police force, and is now scheduled on 10.06.2024. He submits, on instructions from Mr. Sushil Kumar, Asst. Engineer of the MCD, that appropriate action for removal/demolition of the unauthorized construction in the said property shall be taken in accordance with law on 10.06.2024. The said statement is taken on record.

5. In view of the aforesaid statement made by the learned counsel for the MCD, learned counsel for the petitioner does not wish to press the present petition; the same is accordingly dismissed as withdrawn.

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

SACHIN DATTA, J

MAY 22, 2024/r