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

+ **W.P.(C) 7536/2024, CM APPL. 31361/2024**

JITENDER

..... Petitioner

Through: Mr. M.N. Siddiqui and Saurav
Baisoya, Advocates. (VC).

versus

MUNICIPAL CORPORATION OF DELHI AND ORS.

..... Respondents

Through: Mr. Abhinav Sharma and Mr.
Mahender Shukla, Advs. for MCD
(VC)
Ms. Prashansa Sharma, Adv. for R3.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

24.05.2024

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CM APPL. 31362/2024 (Exemption)

Exemption allowed subject to just exceptions.

Application stands disposed of.

W.P.(C) 7536/2024

1. The present petition raises a grievance as regards the illegal/unauthorised construction raised upon the third floor (right side portion) and terrace/roof over of the property bearing no. A-293, in Khasra No. 293/2/3, Village Pul Pehladpur, New Delhi- 110044.

2. Learned counsel for the MCD submits that a show cause notice has already been issued by the MCD with regard to the unauthorised construction on the fourth floor of the property in question (i.e. terrace/roof over and above 3rd floor). It is stated that the same shall be duly inspected by



the MCD and appropriate action shall be taken, in case any unauthorised construction found to be subsisting therein.

3. It is assured and undertaken by learned counsel for the MCD, on instructions, that expeditious action shall be taken for removing any subsisting unauthorised construction.

4. Needless to say, the same shall be subject to the statutory/appellate remedies of the owners/occupiers of the property in question.

5. In case any unauthorised construction is ongoing, MCD is directed to take steps to bring the same to an immediate halt. The concerned SHO is directed to render requisite assistance to the MCD for the aforesaid purpose.

6. In view of the aforesaid, learned counsel for the petitioner does not wish to press the present petition; the same is accordingly disposed of in terms of the aforesaid observations/ directions.

7. In case there is any deficiency in the action taken by the MCD, the petitioner shall be entitled to avail appropriate remedies in accordance with law.

SACHIN DATTA, J

MAY 24, 2024/at