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

+ **W.P.(C) 7585/2024 and CM APPL.31534/2024 (Stay)**

DR. R B SINGH

..... Petitioner

Through: **Mr. R. K. Mehta and Ms. Aarohi,**
Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ORS. Respondents

Through: **Ms. Neha Rai and Mr. Rishabh**
Bhalla, Advs. for MCD.

Ms. Prashansa Sharma, Adv. for R3.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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24.05.2024

CM APPL.31535/2024 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 7585/2024

1. The present petition raises a grievance as regards illegal/unauthorised construction on additional floors i.e., 4th & 5th at the property situated at 3406 to 3410 Asaf Ali Road behind Hamdard Building, Delhi 110006.

2. Learned counsel for the MCD, who appears on advance notice submits that a demolition order *qua* the property in question was earlier passed on 10.11.2023, pursuant to which, partial demolition action was taken by the MCD. Even thereafter, further illegal construction is stated to have been carried out on the 5th floor of the property in question.

3. Learned counsel for the MCD submits that the property in question has been booked on 20.05.2024. It is submitted that further action in



accordance with law to remove the entire unauthorised construction shall be taken expeditiously.

4. The aforesaid statement of the learned counsel for the MCD is taken on record.

5. Let requisite action to remove the entire unauthorised/illegal construction be taken expeditiously and in any event, within a period of 8 weeks from today.

6. Needless to say, MCD shall comply with the usual procedural requirements before taking requisite action. Further, any action that is taken, shall necessarily be subject to the statutory/appellate remedies of the owners/occupiers of the property in question.

7. The present petition is disposed of in terms of the aforesaid directions.

8. 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