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

+ **W.P.(C) 7662/2024**

KULDEEP @ RAJESH CHAUDHARY

..... Petitioner

Through: **Mr. Lakshay Joshi, Advocate**

versus

MUNICIPAL CORPORATION OF DELHI & ANR.

..... Respondents

Through: **Ms. Aarushi Tiku, ASC for MCD/R-1**
Mr. C. Parkash and Mr. S. Tanwar,
Advocate for R-2

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% 27.05.2024

1. Present public interest petition has been filed seeking a direction to the Respondent No. 1 to stop/seal and demolish the unauthorized construction being raised by Respondent No. 2 at plot bearing no. R- 135, Vani Vihar, Uttam Nagar, New Delhi-110059.
2. In the petition, it has been averred that the Respondent No.2 has encroached public land and is carrying out illegal construction without any sanction plans or prior approvals and in violation of the building bye-laws as well as the Master Plan.
3. It is further averred that the said property was booked by the MCD ('Municipal Corporation of Delhi') on 29th December, 2023 due to unauthorized construction.



4. Learned counsel for the MCD, who appears on advance notice, states that the property in question was booked by the MCD on 29th December, 2023 and a demolition order dated 10th January, 2024 was passed. She, however, states that due to lack of police force, the demolition order could not be implemented. She also states that the show cause notice under Section 345(A) of the Delhi Municipal Corporation Act for sealing of the said property has been issued.
5. Learned counsel for Respondent No. 2 states that Respondent No. 2 has applied for regularization of the building in question.
6. Learned counsel for MCD states that the regularization application shall be decided expeditiously.
7. Keeping in view the aforesaid, this Court dispose of the present writ petition with a direction to the STF ('Special Task Force') to treat the writ petition as a representation. Further, STF is directed to decide the same and take appropriate action, if required, in accordance with law within eight weeks. The rights and contentions of all the parties are left open. The Registry is directed to forward a copy of this order to the STF, Vice-Chairman, DDA .

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 27, 2024/rhc