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

+ **W.P.(C) 7694/2024 & CM APPL. 32022-32023/2024**

KALA SHARMA

..... Petitioner

Through: Mr. Mayank Arora, Mr. Jai Allagh,
Mr. Prasoon Shekhar, Mr. Ajatshatru
Singh Rawat, Advocates
(M:7903017841)

versus

DELHI DEVELOPMENT AUTHORITY AND ORS.... Respondents

Through: Ms. Pragati Singh, Advocate for Ms.
Prabhsahay Kaur, SC for DDA
(M:8171798389)
Mr. Santosh Kumar Tripathi, SC-
Civil with Mr. Rishabh Srivastava,
Advocate

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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27.05.2024

CM APPL. 32022/2024 (For Exemption)

1. Exemption allowed, subject to just exceptions.
2. Application is disposed of.

CM APPL. 32023/2024

3. The present is an application seeking permission to file a detailed List of Dates.
4. For the reasons stated in the application, the present application is allowed and the same is disposed of.

W.P.(C) 7694/2024

5. The present petition has been filed seeking directions to the



respondents to take appropriate action against the illegal and unauthorized construction existing at Khasra No. 11/2, 11/3 and 11/9/2 at A Block, Shastri Park Extension, Nathupura, Burari, Delhi – 110084, in accordance with law. There is further prayer for directions to the Delhi Development Authority (“DDA”) to stop the illegal/unauthorized construction activity, which is going on in the area in question.

6. Issue notice. Notice is accepted by learned counsel for respondent nos. 1 to 6.

7. Learned counsel for respondent-DDA submits that demolition order has already been issued qua the unauthorized construction existing over the land in question. She, however, submits that one of the private parties has already approached the Appellate Tribunal-Municipal Corporation of Delhi (“ATMCD”) and a stay order is operating against therein.

8. She further submits that the original record of the DDA has been deposited with the ATMCD.

9. Accordingly, it is directed that the DDA shall take action against the illegal and unauthorized construction existing in the aforesaid area. However, the said action of the DDA shall be subject to the rights and contentions of the private parties, who have the liberty to challenge the demolition order, in accordance with law.

10. Any action by the DDA shall be subject to any order of stay, which may be obtained by the private parties, against the demolition order passed by the DDA.

11. It is further directed that in case, there is no stay operating against any unauthorized construction, action shall be forthwith taken by the DDA.

12. It is further directed that in case there is any illegal/unauthorized



construction is being carried out, the same shall be stopped forthwith.

13. With the aforesaid directions, the present petition is disposed of, along with pending applications.

MAY 27, 2024
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MINI PUSHKARNA, J