



\$~87

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

+ W.P.(C) 7706/2024, CM APPL. 32047/2024 CM APPL. 32048/2024

GAURAV MITTAL Petitioner

Through: Mr. Chirag Verma and Ms. Heeba
Ansari, Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

..... Respondents

Through: Mr. Chetanya Singh and Mr. Chetan
Sharma, Advs. for MCD (through v/c)
Ms. Prashansa Sharma, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

27.05.2024

%

1. The present petition raises a grievance as regards illegal/unauthorised construction carried out by the respondent no.3 in agricultural land bearing no. Khasra No. 101/8 situated in Village/Alipur Delhi – 110034.
2. Learned counsel for the respondent no.2/SDM Alipur submits that the said respondent no.2 has jurisdiction in respect of the land in question as the area in question is not urbanised.
3. After some hearing, respective counsel for the parties are in agreement that the present petition would be treated as a representation by the concerned SDM Alipur and a speaking order shall be passed thereon.
4. Let the speaking order be passed within a period of 4 weeks from today after affording an opportunity of hearing to the petitioner.



5. If warranted upon conclusion of the aforesaid exercise, appropriate action for removal of the unauthorised/illegal encroachment referred to in the petition shall be taken in accordance with law. The concerned SHO, PS Alipur is directed to render requisite assistance for the said purpose.
6. If necessary, the SDM shall also afford an opportunity of hearing to the owner/occupier of the land in question before taking requisite action and for the purpose of disposing of the representation of the petitioner.
7. The present petition stands disposed of in the above terms.

SACHIN DATTA, J

MAY 27, 2024/at