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

+ **W.P.(C) 7714/2024, CM APPL. 32061/2024**

MR AMIT YADAV

..... Petitioner

Through: Advocate (appearance not given).

versus

MUNICIPAL CORPORATION OF DELHI & ORS. Respondents

Through: Mr. Gautam, Adv. for Mr. Aditya
Vaibhav Singh, Adv. for MCD.

Mr. Mohit Bhardwaj, Adv. for R-3.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

27.05.2024

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1. The present petition has been filed by the petitioner raising a grievance as regards the alleged illegal activities being carried out in respect of Tehbazari No. 5362 situated at Bhagwan Parshuram Marg, opposite to Phase I & III Block –B, DDA District Park, BG-8, Paschim Vihar, Delhi.
2. It is the contention of the petitioner that the concerned allottee of Tehbazari site has encroached upon footpath and is indulging in illicit activities.
3. Various representations, including representations dated 28.07.2023 and 07.05.2024, are stated to have been submitted by the petitioner to the MCD and also to the concerned SHO. However, the said representations have not been decided.
4. Learned counsel for the petitioner confines himself to seeking that the said representations filed as annexure P6 and P7 (Colly.) to the present petition be decided by the concerned authority after affording an opportunity



of hearing to the petitioner and that the requisite action be taken against the allottee of the aforesaid Tehbazari Site.

5. Considering the aforesaid, the present petition stands disposed of with the direction to the respondent no(s). 1, 2 & 3 to consider the aforesaid representations of the petitioner and to pass a speaking order thereon after affording an opportunity of hearing to the petitioner. Let the same be done within a period of 6 weeks from today.

6. If warranted, the requisite action as sought by the petitioner be taken in respect of the Tehbazari site in question.

7. If necessary, the concerned respondent/s shall also provide an opportunity of hearing to the allottee of the said Tehbazari site.

8. In case the petitioner is aggrieved by the outcome of the aforesaid exercise, he shall be at liberty to avail appropriate remedies in accordance with law.

SACHIN DATTA, J

MAY 27, 2024/at