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

+ **W.P.(C) 9867/2020**

MR. HARISH SHARMA & ANR.

..... Petitioners

Through: Mr. Kshitij Pal, Adv. alongwith Col.
A. S. Chauhan (Retd.), Adv. and Ms.
Amitana Chauhan, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR.

..... Respondents

Through: Mr. Murari Kumar and Mr. Kartik
Yadav, Adv. for R-1. (through VC).

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

25.04.2024

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1. The present petition has been filed by the petitioners raising a grievance as regards unauthorized construction at property bearing no.25, Road No.41, West Punjabi Bagh, New Delhi.

2. A status report is stated to have been filed by the MCD on 02.08.2023. However, the same is not on record. A copy thereof has been handed over during the course of hearing, in which, it has been *inter alia* stated as under :-

4. That in continuation of earlier report filed in the month of August-2021. It is further submitted that an application for grant of sanction to erect/re-erect/add to/alteration in respect of property bearing No.25/41, Punjabi Bagh, West, New Delhi, was submitted by Sh. Jagdish Rai Aggarwal and Mrs. Prem Lata Gupta in the Building Department(HQ)/MCD on 23.12.2020 through online mode. Subsequently, the Building Plan in respect of aforesaid property was sanctioned plan under Section 336 of the DMC Act vide file No. 10080683 dated 13.10.2021 by the Building Department (HQ)/MCD for stilt, Ground Floor, First Floor, Second & third Floor. Copy of the Grant of Sanction dated 13.10.2021 is annexed herewith as Annexure- 'A'.



3. It is thus evident that construction being carried out in the property in question is pursuant to a sanctioned building plan, duly sanctioned under Section 336 of the DMC Act *vide* file No. 10080683 dated 13.10.2021.
4. As such, no further order/s are required to be passed in the present petition and the same is accordingly disposed of.
5. In case the petitioners are aggrieved with the grant of sanction or wish to seek revocation of the sanctioned building plan, they shall be at liberty to avail appropriate remedies, in accordance with law.
6. With the aforesaid directions, the present petition stands disposed of.

SACHIN DATTA, J

APRIL 25, 2024/r