



\$~67

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

+ **W.P.(C) 8503/2024**

JATINDER

.....Petitioner

Through: Mr. Varun Nagrath and Mr. Shubham Singh, Advs.

Versus

THE DEPUTY COMMISSIONER OF MCD, & ORS.

.....Respondents

Through: Mr. B.S. Dhir, Ms. Simran Dhir, Ms. Shuchi Sood & Ms. Kriti Khokhar, Advs. for R1 & 2
Ms. Sweety Singh, Adv. for GNCTD

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **07.08.2024**

1. The respondent-Corporation has filed a short affidavit and has taken the following stand:-

"5. That it is pertinent to mention here that the property in question was inspected by are JE(B) and during the said inspection it was found that the property con prise of ground floor, first floor and second floor and same is found o be old and occupied neither fresh construction is apparent at the site in question nor building material was found lying stacked at the site at the time of inspection. Copy of the photographs of the suit property taken of time inspection on 22.07.2024 are hereby annexed as ANNEXURE-A (Colly).

6. That as far as illegal commercial activity in residential area at the subject property is concerned, the subject property was inspected by the concerned Licensing Inspector on 16.07.2024 & 30.07.2024 and during the said visits no commercial activity was found at the site. That on local enquiry made on 30.07.2024 if came to notice that the commercial



activity/factory was being operated at the premises in question of the name titled as MI/s Monika Industries. But present the premises is being found residential in use only. Copy of the photographs of the premises taken on 16.07.2024 are hereby annexed as ANNEXURE-B(colly).”

2. In view of the stand taken by the respondent-Corporation, in its short affidavit, more importantly, in paragraph Nos. 5 and 6, the Court is satisfied that as of now, no further action is required.
3. It be noted that the property appears to be old and occupied and that there does not seem to be any commercial activity.
4. In view of the aforesaid, the Court is not inclined to keep this matter pending on its Board. If the petitioner has any further grievance, the petitioner is always at liberty to approach the Corporation or to approach the Special Task Force which has been constituted in pursuant to the directions passed by the Supreme Court *vide* order dated 24.04.2018 in the ***M.C. Mehta v. Union of India***.
5. With aforesaid observations, the petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

AUGUST 7, 2024

p'ma