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

+ **W.P.(C) 8683/2024 &CM APPL. 35491/2024**

GUNJAN KAWATRAPetitioner

Through: Petitioner in person.

versus

MCD AND ORSRespondents

Through: Ms.Sapna Chauhan, Adv for
DDA.
Mr.Arun Panwar, Adv for R-3.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **18.07.2024**

1. In view of the Status Report filed by the respondent-MCD, the petitioner who appears in person submits that some action has been taken. However, further demolition has to take place.
2. A perusal of the Status Report filed by the respondent-MCD indicates that substantial action has been taken. However, further action is required to be taken with respect to the property in question and on account of shortage of time and the necessary police assistance, further action could not be taken.
3. In view of the aforesaid, the Court directs the respondent-MCD to carry out the exercise of removal of unauthorised constructions. The Court also directs the police to render full assistance to the respondent-MCD.
4. Learned counsel appearing on behalf of respondent no.4 submits that there is some common passage and some of the construction is in accordance with law. Respondent no.4 is at liberty to take necessary



remedial measure either to take injunction or to approach the respondent-MCD to satisfy that any part of the construction is legally permissible. However, the Court, at this stage, does not require to adjudicate the aforesaid aspect since as of now, the respondent-MCD has taken unequivocal stand in its Status Report that some of the action has already been taken and the respondent-MCD is intending to take further legal action.

5. The Court, therefore, disposes of the instant writ petition in the aforesaid terms along with the pending application.

6. The liberty is, however, reserved in favour of the petitioner to re-agitate the issue before the respondent-MCD or to approach this Court in case, the grievance is not completely mitigated.

PURUSHAINDR KUMAR KAURAV, J

JULY 18, 2024/MJ