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

+ **W.P.(C) 14956/2022 & CM APPL. 46111/2022**

REENA SINGH

.....Petitioner

Through: Mr. Aakash Sirohi and Mr. Indra Lal,
Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI THROUGH
COMMISSIONER AND ORS**

.....Respondent

Through: Ms. Reema Khorana and Mr. Vikash
Kumar, Advs. for R-1 MCD.
Ms. Sangeeta Bharti, SC with Ms.
Vidushi Gupta, Adv. for R-3/DJB.
Mr. Divge Chuge, Adv. for R-4.
Mr. Sanjay Katyal, SC, DDA
Ms. Sapna Chauhan, Adv. for DDA.
Mr. Mayank Mehandra, Ms. Charu
Tandon, Mr. Raghav Tandon, Mr.
Nikhil Kharaliya and Mr. Hargun
Singh Kalra, Advs. for R-6.
Mr. Sahil Sharma and Ms. Avni
Singh, Advs. for R-5.
Ms. Mahima Anand and Mr. Parvider
Chauhan, Advs.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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08.07.2024

1. In pursuance of the directions passed by this court, the MCD has already filed report on 23.03.2023, which reads as under:-

"1. That, deponent is presently posted as Executive Engineer in Building Department-I of Central Zone of Municipal Corporation of Delhi. I have gone through the relevant records placed before me, I have made myself conversant with the facts of the present case and therefore, I am competent to swear the present affidavit.



2. That, present status report is being filed in compliance of order dated 09.02.2023 of this Hon'ble Court.

3. That, with regard to subject property, it is most respectfully submitted that as per record, building plan in respect of subject property has been sanctioned by the answering respondent/ MCD vide online ID No. 100103700 dated 27.06.2022 for construction of a building having provision of Basement, Stilt, Ground Floor to Third Floor after realization of an amount of Rs. 4,51,209/- towards Building Plan Fee. The copy of Common Application Form/ Sanction Building Plan bearing online ID No. 100103700 as available on Web portal is annexed herewith as **Annexure: A.**

4. That, during inspection, subject property has been found constructed from Basement, Stilt, Ground Floor to Third Floor. At the time of inspection, no unauthorised construction was noticed at site. Existing construction of the property is well within the ambit of MPD-2021. Photographs showing the present status of the Property No. D-24, Jangpura Extension, New Delhi are annexed .. - herewith as **Annexure: B.**

5. That, it is most respectfully submitted that at the sanction of building plan, an undertaking/ statement was submitted/ filed by the applicant, regarding safety of the surrounding/ adjoining properties during construction, for which the onus lies with the owner as well as Architect. 6. That, it is further submitted that the subject property is being closely monitored, necessary action as per the provisions of DMC Act, 1957 will be initiated against this property, as soon as any violation of Unified Building Bye-laws-2016 or MPD-2021 comes to the notice of the answering respondent/MCD."

2. It is seen that no rejoinder has been placed on record pursuant to the direction of this Court.
3. Having gone through the nature of allegations and the status report, the Court does not find it necessary to keep the present petition pending or to issue further directions.
4. The petitioner is at liberty to take appropriate remedy in accordance with law, if he feels that any of his grievances still subsists.



5. With the aforesaid liberty, the writ petition is disposed of along with the pending application.

PURUSHAINdra KUMAR KAURAV, J

JULY 8, 2024/NG