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

+ **W.P.(C) 9734/2024**

HAR BHAGWAN SHARMA

.....Petitioner

Through: Mr. Kamal Mehta, Ms. Preeti, Adv.

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondent

Through: Mr. Sanjeev Sabharwal, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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11.09.2024

1. The petition is for the following relief:-

"It is therefore most respectfully prayed that by way of appropriate writ/order/direction, the respondents No.1 to 3 may be directed to take the strict legal action as per the MCD Act and other provision of law, regarding the said unauthorized constructions raised and being raised in the properties i.e. 89, South Anarkali Extension, Delhi and 11/1, Geeta Colony, Delhi-31. The said unauthorized constructions may be ordered to be demolished at the earliest and it may be ensured by the respondent No. 1 that no further unauthorized construction will be raised by any one in/on the above-mentioned property, in the interest of justice. Any other and further relief/s, which this Hon'ble Court deems fit and proper in the facts and circumstances made above, be passed in favour of the appellant and against the respondent."

2. A perusal of the status report would indicate that the property in question was inspected on 09.07.2024 and during the course of the inspection, certain deviations against sanctioned plan at first floor, ground floor, second floor and third floor were noticed.



3. Accordingly, the respondent-Corporation issued a booking order on 09.07.2024. The Corporation also appears to have taken certain action in accordance with the Delhi Municipal Corporation Act, 1957.

4. As per the status report, it appears that the contemplated action has not been taken to its logical end on the account of the reply being awaited from the concerned owner/occupier.

5. It be noted that the subject property stands sealed as on date *vide* order of sealing dated 05.08.2024. The Corporation is bound by the status report and is further directed to ensure that the action is taken to its logical end, within a period of four months from today.

6. If the petitioner has any further grievance thereafter, he shall be at liberty to approach the Special Task Force which has been constituted pursuant to the directions of the Hon'ble Supreme Court in the case of ***M.C. Mehta v. Union of India.***

4. Leaving that liberty in favour of the petitioner and directing the Corporation to take the controversy to its logical end in accordance with law, the instant petition stands disposed of.

PURUSHAINdra KUMAR KAURAV, J
SEPTEMBER 11, 2024/KG