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

+ **W.P.(C) 10481/2024 & CM APPL 43100/2024**

DHARMENDER SINGH & ANR.Petitioners

Through: Mr. D.V. Khatri, Adv.

Versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondents

Through: Mr. Ajjay Arora and Mr. Kapil Dutta,
Adv. for MCD
Mr. Tushar Sannu, Adv. for DDA
Mr. Mohit Bhardwaj, Adv. for R-4 &
5 with SI Ajay, P.S. Saket, New Delhi
Mr. Ajay Malviya and Ms. Usha,
Adv. for R-6 to 11

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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18.09.2024

1. During the course of hearing, a physical copy of the Status Report has been handed over in the Court by the learned counsel for the respondent-Corporation. Let the same be placed in the digital record of the Court. Paragraph Nos. 3 to 5 of the Status Report reads as under:-

“3. That pursuant to demolition order already stands passed in respect of the subject identified property bearing No. Adj. F-81, Village Lado Sarai, New Delhi, the Building Department -II of South Zone-MCD has tried / taken / carried out further necessary demolition action as per details given herein below:-



<i>S. No.</i>	<i>Date of Action</i>	<i>Action taken</i>
1 .	29/08/2024	During the pre-fixed demolition action programme, upon availability of police force, 01 RCC panel has been demolished at roof of Fourth floor and steel reinforcement bars cut down, however, further action could not be taken due to stiff resistance by the residents. Whereas, the earlier demolished portion found lying demolished.
2 .	05/09/2024	Action could not be taken due to stiff resistance by the local residents of the area.
3 .	10/09/2024	Since there was huge public hindrance at site, however, after controlling the law and order situation by the police staff the action could be started late and upon availability of police force, 01 RCC panel has been demolished at the roof of the Fourth floor and cut down the reinforcement bars with the help of gas cutter

*The photographs taken during the aforesaid demolition action are annexed herewith as **Annexure - A (Colly)**.*

*4. That after taking the aforesaid demolition action, letters dated 30/08/2024 and 10/09/2024 have also been sent to concerned SHO PS Saket, New Delhi with the request to direct the area patrolling staff to keep strict watch and ward over the subject property so that the demolished portion may not be restored / repaired. Copy of the said letters are also annexed herewith as **Annexure -B (Colly)**.*

5. That moreover, the property is situated in a narrow lane having old buildings at adjoining side by side, hence, seeking the safety issues now the department has fixed the further necessary action programme in



respect of the subject property for 26/09/2024 which will be taken / carried out upon availability of police force.”

2. The petitioners, as of now, stand satisfied in view of the steps taken by the respondent-Corporation. The respondent-Corporation is bound by the stand taken in the Status Report and is directed to ensure further necessary steps, in accordance with law.
3. If the petitioners, thereafter, if have any grievance, they are at liberty to approach the Special Task Force, constituted in terms of the directions passed by the Supreme Court *vide* order dated 24.04.2018 in W.P. (C) 4677/1985 titled as ***M.C. Mehta v. Union of India***.
4. The rights and contentions of private respondent stand reserved to be agitated before appropriate Court/forum.
5. The petition stands disposed of in the aforesaid terms alongwith the pending applications.

PURUSHAINDRA KUMAR KAURAV, J.

SEPTEMBER 18, 2024

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