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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10946/2024**
TRILOK CHAND

.....Petitioner

Through: Ms. Pratima Ravi and Mr. Yogesh
Sharma, Advs.

versus

**MUNICIPAL CORPORATION OF DELHI (T)HROUGH ITS
COMMISSIONER**

.....Respondent

Through: Ms. Anshula L. Bakhru, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **11.09.2024**

1. The petition is for the following relief:-

"Direct the Respondent to consider and decide the representation of petitioner dated 04.07.2024 by way of a speaking order to take action against the illegal and unauthorized construction being raised at Property bearing No. 3343 Plot No.-38, Christian Colony, Reghar Pura, Karol 13 Bagh, New Delhi-110005 followed by its demolition and sealing as per law.

(b) pass any other order/orders which this Hon'ble Court may be pleased in the facts and circumstances of the case."

3. The status report dated 06.09.2024 reads as under:-

" 3. That the Building Plan with respect to Plot No. 38, Block NO. 2, Khasra No. 3143, 3144, 3147, 3148 and 3245, Christian Colony, Reghar Pura Karol Bagh, New Delhi has been obtained by M/s Soumic Jewel Craft Pvt Ltd through the registered Architect/Engineer/Supervisor vide file no. 20008099 dated 31.01.2024 over a plot area of 162.580 sqm with the attributes basement, stilt, ground floor, first floor, second floor and third floor having permissible ground coverage and FAR @75% and 300% respectively. The copy of the SBP ID No. 20008099 dated 31.01.2024 is annexed herewith as Annexure-A.

4. That action u/s 344(1) and 343 of the DMC Act, 1957 had been



initiated against the unauthorized construction in the shape of "deviation/excess coverage against the Sanction Building Plan No. 20008099 dated 31.01.2024 at basement, stilt, ground floor, first floor, second floor and third floor" vide file no. 1 99/C-83/8/UC/KBZ/2024 dated 27.08.2024 and a show cause notice issued to M/s Soumic Jewel Craft Pvt. Ltd and Owner/Builder. The copy of the show cause notice is annexed herewith as Annexure-8.

5. That an application for regularization of the existing construction which has been carried in deviation to the SBP ID No. 20008099 dated 31.01.2024 and booked vide file no. 1 99/C-83/B/UC/KBZ/2024 dated 27.08.2024 has been tiled by M/s Soumic Jewel Craft Pvt. Ltd and Owner/Builder through its Director. The application is being scrutinized by the department and shall be decided as per applicable provisions of UBBL-2016, DMC Act, 1957.

*6. That in representation submitted by Sh. Trilok Chand has also been considered by the department and speaking order has been passed on 06.09.2024 which is annexed herewith as **Annexure-C.**"*

4. The Court, therefore, directs the Corporation to take further necessary steps in accordance with law, within a period of four months from today.

5. In case the petitioner's grievance is not mitigated or the petitioner is of the opinion that the Corporation has not resolved the grievance of the petitioner completely in accordance with law, the petitioner shall be at liberty to approach the Special Task Force.

4. Reserving that liberty in favour of the petitioner, and directing the Corporation to take the matter to its logical conclusion, at this stage, the instant writ petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J
SEPTEMBER 11, 2024/KG