



\$~57

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

+ **W.P.(C) 11008/2024 & CM APPL. 45423/2024**

RAJ RANI AND ANR

.....Petitioners

Through: Mr. Vipin Rana, Ms. Ritu, Mr.
Vinay Pannar, Mr. Shiv Kumar,
Advocates with P-2 in person.

versus

GOVT OF NCT DELHI AND ORS

.....Respondents

Through: Mr. Ajjay Aroraa, Mr. Kapil Dutta,
Advocates for MCD.
Mr. Varun Chandiok, Mr. Alok
Kumar, Ms. Anubhi Goyal,
Advocates for R-2 and 3.
Mr. Amit Chadha, Mr. Rajat Kohli,
Mr. Atin Chadha, Mr. Harjas
Singh, Mr. Saarthak Sethi,
Advocates for R-5.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

23.10.2024

1. The petitioner has approached this Court, under Article 226 of the Constitution, complaining of alleged unauthorised construction in property no. *FA-45, Shivaji Enclave, New Delhi – 110027*.
2. Municipal Corporation of Delhi has filed a status report in which it is stated as follows:

“4. That, in continuation to earlier report submitted by the answering respondent No. 2 & 3/MCD on 19.09.2024, it is further submitted that an inspection was made by the concerned JE(B) of the aforesaid property and it was found that the recent excavation carried out by the



owner/occupier in existing old basement has been restored by way of filling soil, brick aggregate and reconstruction of a wall in basement to close the said portion permanently except providing entry passage to old existing basement. Further, the two columns which was raised by the owner/occupier at ground floor in side set back has also been demolished /cut down by the department on 26.09.2024. The photographs taken during the course of action are attached herewith as Annexure 'A'."

3. Learned counsel for the petitioner disputes this position, but in view of the fact that the issue would raise disputed questions of facts, he wishes to withdraw this writ petition, with liberty to take ordinary civil remedies, in accordance with law.

4. The petition is dismissed as withdrawn, with liberty as aforesaid.

PRATEEK JALAN, J

OCTOBER 23, 2024

'Bhupi' /