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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 11560/2024, CM APPL. 48005/2024
SHYAM SUNDER AGGARWALPetitioner
Through: Mr. Puneet Goel, Advocate.

versus

CENTRAL VIGILANCE COMMISSION & ORS.Respondents

Through: Ms. Tatini Basu, SC for R-1.
Ms. Tajinder Viridi, SC for MCD.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
22.08.2024

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1. The present petition seeks direction to Respondents No. 1 to 3 to dispose of Petitioner's complaint dated 22nd April, 2024, wherein he has highlighted alleged corrupt practices of Respondent No. 4/ Deputy Commissioner (Shahdara South Zone) in encroachment of public land.
2. Counsel for Petitioner presents the following facts and contentions:
 - 2.1. The Petitioner has served as a Mayor of East Delhi Municipal Corporation from 16th June, 2021 till June, 2022. During his tenure, he noticed encroachment on the public land adjacent to property bearing no. X/1242/A/1, Plot No. B-1, Gali No. 1, Rajgarh Colony, Delhi-110031.¹
 - 2.2. The owner of the said property, in connivance with Respondent No. 4, Area JE, AE and Executive Engineer allowed encroachment on the subject property. Thereafter, construction on the said property commenced and comprises of a three storeyed building.

¹ "the subject property"



2.3. On 22nd April, 2024, Petitioner filed a complaint to Respondent No. 1/ Central Vigilance Commission,² regarding the corrupt practices of the officials involved in the said encroachment. However, no action has been taken till date.

2.4 By not conducting thorough vigilance enquiry, the CVC is in dereliction of its statutory duty provided under Section 8(d) of the Central Vigilance Commission Act, 2003.

3. *Per contra*, Ms. Tatini Basu, counsel for CVC states that the complaint received from Petitioner has been allocated a complaint number and is under active consideration.

4. Ms. Tajinder Viridi, counsel for Municipal Corporation of Delhi,³ submits that much prior to the Petitioner's complaint, the MCD has already acted and booked the unauthorised construction on the subject property and are currently in the process of taking appropriate action, in accordance with law.

5. In light of the above, the present petition is disposed of with a direction that the Respondents No. 1 to 3 shall consider and dispose of the Petitioner's complaint dated 22nd April, 2024, in accordance with law and inform the outcome of such enquiry to the Petitioner.

6. The Court has not made any comments on the merits of the case. All rights and contentions of the parties are left open.

7. Disposed of.

SANJEEV NARULA, J

AUGUST 22, 2024/nk

² "CVC"

³ "MCD"