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

+ **W.P.(C) 12409/2024 & CM APPL. 51611/2024**

MANJESH SINGH

.....Petitioner

Through: **Mr.Yogesh Sharma, Advocate.**

versus

SPECIAL TASK FORCE DDA & ORS.Respondents

Through: **Mr.Tushar Sannu, Advocate for
DDA/R-1 with Mr.Shobhan
Sachdeva and Mr.Hardik
Saxena, Advocates.**

**Mr.Amit Tiwari, CGSC with
Mr.Hussain Taqvi, GP with
Mr.Rahul Bhaskar, Advocate
for R-3.**

**Mr.Ajjay Aroraa, Mr.Kapil
Dutta, Mr.Vansh Luthra,
Advocates for MCD.**

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

05.09.2024

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1. The petitioner is invoking the writ jurisdiction of this Court seeking direction to the respondents to demolish and seal the illegal and unauthorised construction raised in the form of multi storey flats at property, House No.102, khasra No.24/13/1 min, Shanti Kunj, Vasant Kunj, Delhi without obtaining any sanction/permission from the authorities concerned.

2. Learned counsels for the respondents No.1, 2 and 3 are present on advance notice. It appears that advance notice has not been served



upon respondent No.4, who appears to be the occupier of the property in question and allegedly raising unauthorised construction.

3. Learned counsel for the respondent/MCD submits that, the property in question has been already booked for unauthorised construction, and demolition order has already been passed and action for demolition of the unauthorised structure is already in the pipeline in accordance with the law.

4. Insofar as the present petition is concerned, it appears that after issuing notice to the authorities on 22.12.2023, the petitioner has waited for so long and now belatedly filed this writ petition.

5. Thus, the petitioner appears to be guilty of laches and delay and it cannot be overlooked that the petitioner has already filed civil suit against respondent No.4, as there is a dispute with regards to the ownership of the property in question. This Court in writ jurisdiction cannot be called upon to go into disputed questions of facts reflecting upon the title of the parties to the subject property.

6. Therefore, this Court is not inclined to admit the writ for further hearing. The petitioner shall seek appropriate remedies in the civil court and the respondents proceed and act in matter in accordance with the law.

7. The petition is disposed of accordingly.

DHARMESH SHARMA, J.

SEPTEMBER 5, 2024/VLD