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

+ W.P.(C) 13053/2024 & CM APPL. 54461/2024

SH ARUN KUMAR

.....Petitioner

Through: Mr. Pradeep Chaudhary, Advocate.

versus

MUNICIPAL CORPORATION

OF DELHI & ORS.

.....Respondents

Through: Ms. Anshula L. Bakhru, Advocate
for R-1.

Mr. Badar Mahmood, S.SC for
UOI with Mr. Ammar Ahmad,
Advocate.

Mr. Rishikesh Kumar, ASC for
GNCTD with Ms. Sheenu Priya,
Mr. Atik Gill, Mr. Sudhir Kumar
Shukla & Mr. Sudhir, Advocates.
[M:-9911483629]

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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23.10.2024

1. The petitioner has approached this Court under Article 226 of the Constitution complaining of alleged unauthorised construction at the subject property [No. 8A/34, WEA, Karo Bagh, New Delhi- 110005].
2. The status report filed by the Municipal Corporation of Delhi ["MCD"] states that unauthorised construction has been found in the property and a demolition order has been issued on 07.10.2024. Learned counsel for MCD states that further action will be taken pursuant to the said order, within a period of eight weeks from today, subject to availability of the police force.



3. In view of the above, no further directions are required in this writ petition, which stands disposed of.

4. It is made clear that the aforesaid submissions are recorded without prejudice to the rights and contentions of any owners/occupants of the subject property, whose rights and remedies, available in law, are expressly reserved. MCD is directed to take action strictly in accordance with law, and after complying with all statutory formalities.

5. In the event the petitioner has any further grievance with regard to unauthorised construction, he is at liberty to approach the Special Task Force [“STF”], constituted by the Supreme Court *vide* orders dated 24.04.2018 and 18.07.2018 in W.P.(C) 4677/1985 [*M.C. Mehta vs Union of India & Ors.*]. This direction is made with reference to the decisions of the Division Bench in *Devender vs. Govt. of NCT of Delhi and Ors* [order dated 20.09.2018 in W.P.(C) 1807/2018], *Sneh Lata & Anr. vs. North Delhi Municipal Corporation & Anr.* [order dated 08.04.2019 in LPA 245/2019], *Fazruddin vs. DDA & Ors.* [order dated 23.04.2019 in WP (C) 4649/2017], and in *Himanshu vs. East Delhi Municipal Corporation & Anr.* [order dated 31.07.2023 in W.P.(C) 8104/2022], and decisions of coordinate Benches in *Abdul Gaffar vs South Delhi Municipal Corporation & Ors.* [order dated 28.02.2019 in W.P.(C) 1773/2019] and *Rashiduddin Malik vs. MCD & Ors.* [order dated 02.09.2024 in WP (C) 12102/2024].

6. The petition is disposed of in terms of the above.

PRATEEK JALAN, J

OCTOBER 23, 2024

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