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

+ **W.P.(C) 13348/2024 & CM APPL. 60368/2024**

KAUSHAL KANTA

.....Petitioner

Through: Mr. Abhishek Sonkar, Ms. Sakshi
Gupta, Ms. Somitra Rai & Mr.
Anuj Yadav, Advocates.

versus

THE STATE (NCT OF DELHI) & ORS.

.....Respondents

Through: Ms. Puja Kalra, SC for MCD with
Mr. Virendra Singh, Advocate.
Mr. Sachin Bandoon, Advocates
for R-3.

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 in property No. 1794, *Sohan Ganj, Subzi Mandi, Delhi-110007*.
2. Ms. Puja Kalra, learned Standing Counsel for the Municipal Corporation of Delhi ["MCD"], submits that as per the status report dated 21.10.2024, it is stated that a demolition order has already been passed on 13.08.2024 and work stop notices have been issued on 23.08.2024 and 15.10.2024. Demolition action was fixed on 25.09.2024, but no action could be taken due to an order of the Supreme Court in W.P.(C) 295/2022.
3. Mr. Virendra Singh, learned counsel for respondent No. 3, states



that he has received the copy of demolition order and filed an appeal before the Appellate Tribunal for Municipal Corporation of Delhi [“ATMCD”]. Although no interim protection has yet been granted by the ATMCD, the interim application remains pending.

4. Having regard to these facts, it appears that MCD is in *seisin* of the illegal construction in the property. No further orders are therefore required in this writ petition, which stands disposed of.

PRATEEK JALAN, J

OCTOBER 23, 2024

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