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

+ W.P.(C) 13473/2024 & CM APPL. 56382/2024

ABDUL HUSSAIN

.....Petitioner

Through: Mr. Suhail Khan, Mr. Farid Ahmed
Nizami, Ms. Vartika Mittal and
Md. Junaid Khan, Advocates.

versus

MCD & ANR.

.....Respondents

Through: Mr. Vishal Chadha, Advocate for
MCD.
Mr. Sandeep Vishnu, SPC for R-2.
SI Aayush Rajput, PS. Jama
Masjid.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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25.09.2024

1. The petitioner has approached this Court under Article 226 of the Constitution against alleged illegal unauthorised construction in *property No. 980-81, Chawri Bazar, Delhi – 110006*.

2. Mr. Vishal Chadha, learned counsel for Municipal Corporation of Delhi [“MCD”], who appears on advance notice, states that the property has been inspected and construction was found to be ongoing without authorisation. A work stop notice has, therefore, been issued on 21.09.2024, and MCD also proposes to book the property by issuance of a show-cause notice today. He states that further action will be taken as

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expeditiously as possible and practical after considering replies, if any, received from the owners/occupants of the property.

3. In view of the aforesaid submissions, learned counsel for the petitioner does not seek any further orders in this writ petition, which stands disposed of.

4. It is made clear that this order is passed without prejudice to the rights and contentions of the owners/occupiers of the property, whose legal remedies are expressly reserved.

5. In the event the petitioner has any further grievance with regard to alleged illegal construction, he is at liberty to approach the STF in accordance with the decision of the 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], and in *Himanshu vs. East Delhi Municipal Corporation & Anr.* [order dated 31.07.2023 in W.P.(C) 8104/2022], and in 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

SEPTEMBER 25, 2024

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