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

+ W.P.(C) 13488/2024

HEMANT KUMAR

.....Petitioner

Through: Mr. Yogesh Sharma, Mr.
Yugant Parihar and Mr.
Yogeshwer Singh, Advs.

versus

SPECIAL TASK FORCE & ORS.

.....Respondents

Through: Mr. Shashi Pratap Singh, Ms.
Urvashi & Ms. Muskan Garg,
Advs. for R1.
Mr. Umang Tyagi, ASC with
Ms. Aditi Kapoor & Ms.
Aishwariya Kapoor, Advs. for
R2/MCD
Mr. Jatin Singh, Adv. for R3.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

25.09.2024

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1. The petitioner has preferred the present writ petition for issuance of appropriate directions to respondent No.1/Special Task Force to take action in accordance with law, against the alleged illegal and unauthorised construction being raised at property bearing No. 4/20, WEA, Saraswati Marg, Karol Bagh, New Delhi-110005.

2. Learned counsel for respondent No.1/Special Task Force and respondent No.2/MCD are present on advance notice.

3. No one is present for respondent No.3/Delhi Police despite sending advance notice.



4. No notice has been sent to respondent No.4, who is alleged to be the occupier/builder who is carrying out the unauthorised construction.

5. Learned counsel for the petitioner has alluded to the order dated 04.09.2024 passed by this Court, whereby the writ petition filed by the petitioner bearing W.P.(C) 10255/2024 was disposed of with liberty to the petitioner to approach the Special Task Force, in case he is of the opinion that the respondent-Corporation has failed to carry out its statutory duties in accordance with the applicable rules and regulations. It is further mentioned that the stand of the MCD during the course of such proceeding was that the building plan with respect to the aforesaid plot has been obtained and upon instructions, it has been noted that the builder/owner is carrying out construction in accordance with the sanctioned plan.

6. Be that as it may, learned counsel for the respondent No.1 has rightly pointed out that a representation has only been preferred by the petitioner on 12.09.2024. It is submitted that the matter has been referred to the concerned authority for consideration and appropriate action.

7. Learned counsel for respondent No.2 requests some time to seek instructions. Having regard to the facts and circumstances, the present writ petition is disposed of with liberty to respondent No. 1 to take appropriate action in accordance with the law within a period of six weeks from today.

DHARMESH SHARMA, J.

SEPTEMBER 25, 2024/sa