



\$~87

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

+ **W.P.(C) 13498/2024 & CM APPL. 56462/2024**

SAIYEED JIYAUH RAHMAN

.....Petitioner

Through: Mr. Jayant Bhatt, Ms. Mekhala Bhatt, Mr. Hamid Khan, Mr. Sarthak Gupta and Mr. Vipul Pathak, Advocates.

versus

GOVERNMENT OF NCT OF DELHI AND ORS.Respondents

Through: Ms. Prabhsahay Kaur, SC with Mr. Bir Inder Singh, Advocates for R-2 and 3.
Mr. Divya Prakash Pande, Standing Counsel for MCD.
Mr Rajendra Sahu, SPC for Delhi Police/R-7.
Mr. Imran Ali, Advocate for R-8.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

25.09.2024

1. The petitioner has filed this petition under Article 226 of the Constitution against alleged illegal construction in property No. C- 305, & C-306, Measuring 160 sq. yards, Part of Khasra No. 382, situated at C- Block, Okhla, New Delhi – 110025.
2. Mr. Divya Prakash Pande, learned Standing Counsel for Municipal Corporation of Delhi [“MCD”], appears on advance notice, and states that the property in question has been inspected and unauthorised construction

W.P.(C) 13498/2024

Page 1 of 2



having been found has already been booked on 18.12.2023 and demolition orders have also been passed in December 2023/January 2024. Sealing orders have also been passed between December 2023 and February 2024. Partial demolition action has also taken place in March 2024. He states that necessary action, in accordance with law, will be taken expeditiously.

3. Mr. Imran Ali, learned counsel for respondent No.8, who is stated to be the owner of a flat on the second floor of the said property, reserves the right of respondent No.8 to take such action as permitted in law against the demolition orders.

4. Mr. Ali also submits that the petitioner's property is also unauthorised. It is always open to MCD to take action in accordance with law with respect to any unauthorised construction and to respondent No.8 to make a representation in this regard if it is so advised.

5. The petition, alongwith pending application, is disposed of with the above directions.

PRATEEK JALAN, J

SEPTEMBER 25, 2024
SS/