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

+ W.P.(C) 13525/2024 & CM APPL. 56524/2024.

NASIR

.....Petitioner

Through: Mr. Arun Kumar Verma, Advocate
along with petitioner in person.

versus

MUNICIPAL CORPORATION
OF DELHI AND ORS.

.....Respondents

Through: Mr. G.S. Oberoi, SC with Mr.
Ankur Sharma, Advocates for
MCD.
Mr. Jatin Singh, Advocate for R-2.
Ms. Manika Tripathi, SC with Mr.
Vansh Kalra, Advocate for DDA.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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25.09.2024

1. By way of this petition under Article 226 of the Constitution, the petitioner seeks action against alleged illegal construction at *Property/Khasra H-61, Land Measuring 50 Sq. Yds. (Out of 280 Sq. Yds.), Khasra No 285 & 285/1, Muradi Road, Batla House, Jamia Nagar, Okhla, New Delhi-110025.*

2. Mr. G.S. Oberoi, learned Standing Counsel for Municipal Corporation of Delhi ["MCD"], who appears on advance notice and states that the property has been booked on 31.07.2024, a demolition order has been passed on 07.08.2024. He states that demolition action is scheduled for 22.10.2024, and will be carried out on the said date or as

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expeditiously thereafter as possible and practical.

3. In view of the aforesaid contention of Mr. Oberoi, no further orders are required in this writ petition, which stands disposed of.

4. It is made clear that the present order is passed without prejudice to the rights and contentions of the owners/occupants of the subject property, whose rights and remedies, against any orders or action taken by the respondents, are expressly reserved.

5. Mr. Arun Kumar Verma, learned counsel for the petitioner, states that he had already approached the Special Task Force [“STF”] and if necessary, he may be given liberty to approach STF again, in view of 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 in a decision of the learned Single Bench 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, alongwith all pending applications, is disposed of as withdrawn with liberty to the petitioner to approach the STF, if necessary.

PRATEEK JALAN, J

SEPTEMBER 25, 2024
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