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

+ **W.P.(C) 13558/2024 & CM APPL. 56689/2024**

SAYRA

.....Petitioner

Through: Mr. Abhay Kumar, Mr. P.C. Jha,
Mr. Shailesh Kumar, Mr. Avish
Kumar and Mr. Surendra Tyagi,
Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS**

.....Respondents

Through: Mr. Siddhant Nath, SC for MCD
with Mr. Bhavishya Makhija,
Advocate.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% 26.09.2024

1. By way of this petition under Article 226 of the Constitution, the petitioner seeks action against alleged unauthorised construction at property bearing *Khasra No. 617A, Muslim Colony. Chhatarpur, New Delhi - 110074.*

2. Mr. Siddhant Nath, learned Standing Counsel for Municipal Corporation of Delhi ["MCD"], who appears on advance notice, states that the property has already been booked and a show cause notice has been issued on 24.09.2024. A work stop notice, in respect of ongoing construction, has also been issued. He submits that the matter would be considered after receiving a reply from the owners/occupiers of the subject property and action as necessary would be taken expeditiously, in accordance with law. MCD may also seek necessary cooperation of the

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concerned Station House Officer in this regard.

3. In view of the above, no further orders are required in this writ petition, which stands disposed of, alongwith pending applications.

4. It is made clear that the aforesaid submissions are recorded without prejudice to the rights and contentions of any owners/occupants of the subject property, whose statutory remedies are reserved. MCD is directed to take action strictly in accordance with law, and after complying with all statutory requirements.

5. In the event the petitioner has any further grievance with regard to unauthorised construction, she is at liberty to approach the Special Task Force ["STF"], constituted by the Supreme Court *vide* orders dated 24.04.2018 and 18.07.2018 in W.P.(C) 4677/1985 [*M.C. Mehta vs Union of India & Ors.*]. This direction is made with reference to 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 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].

PRATEEK JALAN, J

SEPTEMBER 26, 2024/SS/

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