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

+ W.P.(C) 13697/2024
NARAYAN SINGH

.....Petitioner

Through: Mr. Anukul Adhana, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI
& ORS.

.....Respondents

Through: Mr. Umang Tyagi, Ms. Aditi
Kapoor, Ms. Aishwarya Kapoor,
Advocates for R-1 and 2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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30.09.2024

W.P.(C) 13697/2024 & CM APPL No. 57353/2024 (for interim directions)

1. The petitioner has approached this Court under Article 226 of the Constitution, complaining of alleged illegal construction and encroachment in public land at *House No. 276, Near Saini Choupal, Mundka Village, Delhi – 110041*.
2. The petitioner had earlier approached this Court with respect to the same cause of action by way of W.P.(C) 10113/2024, which was withdrawn on 10.09.2024.
3. It is stated in the present writ petition that the petitioner has filed a suit against respondent No. 3, who is allegedly carrying on unauthorised construction, and an injunction has already been passed by the said Court



against further construction. The details of the suit, and the order passed therein, have not been disclosed in the writ petition.

4. However, Mr. Anukul Adhana, learned counsel for the petitioner, states that the writ petition has been filed because the injunction order has not been complied with.

5. The filing of a writ petition is not the appropriate remedy for non-compliance of the order of injunction passed by the Civil Court.

6. At this stage, Mr. Adhana seeks permission to withdraw the present petition, with liberty to the petitioner to take appropriate civil remedies.

7. The writ petition, alongwith pending application, is dismissed as withdrawn, with liberty as aforesaid.

PRATEEK JALAN, J

SEPTEMBER 30, 2024

“Bhupi”/