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

+ **W.P.(C) 13737/2024 & CM APPL. 57509/2024**

ROHIT KAPOOR

.....Petitioner

Through: Mr. Vivek Sood, Senior Advocate
alongwith Mr. Saurabh Agarwal, Mr.
Ankit Chadha and Mr. Raunak Gupta,
Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS.**

.....Respondent

Through: Mr. Nikhil Palli, Advocate for MCD.
Mr. Mukul Singh, CGSC alongwith
Ms. Ira Singh, Mr. Utsav Pokhriyal,
Mr. Mohit Tyagi, Advocates and Mr.
Kapil Dev Yadav, G.P. for R-5 & 6.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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30.09.2024

1. Present public interest petition has been filed seeking directions to the Respondents to call for records to assess whether the construction being carried out at Pacific Mall, Tagore Garden, Subhash Nagar, New Delhi is authorized and, if it is found that the construction so carried out is without a sanctioned plan, then issue directions for demolition of the same.
2. Learned counsel for the Petitioner states that the Respondent No.7 has started unauthorized construction in the subject property by building shops on the ground floor and in the basement. He states that the construction of shops in the basement and ground floor are in violation of the Master Plan of



Delhi, local zoning laws and Delhi Building Bye-Laws.

3. Learned counsel for Municipal Corporation of Delhi states that as deviation and unauthorized construction contrary to the sanctioned plan were found in the property in question, notices dated 05th August, 2024 have been issued to the owner/ occupier and proceedings are underway before the Assistant Engineer (West). He further assures this Court that if any action is required to be taken in accordance with law, the same shall be taken after the Assistant Engineer (West) passes an order.

4. Recording the aforesaid statement, the present public interest litigation is disposed of. Pending application also stands disposed of.

CHIEF JUSTICE

TUSHAR RAO GEDELA, J

SEPTEMBER 30, 2024

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