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

+ W.P.(C) 13983/2024 & CM APPL. 58499/2024

JASVEER SINGH

.....Petitioner

Through: Mr. M.S.Bammi, Mr.Aarushi Aggarwal, Mr.Rishabh Goel, Mr.Imanjeet Singh Bawa and Ms.Suman Kaushik, Advocates with petitioner in person.

versus

THE COMMISSIONER , MUNICIPAL CORPORATION OF DELHI AND ORS.

.....Respondents

Through: Mr. Kavish Aggarwal, Mr. Shubham Kumar, Advocates for MCD.

Mr. Arjun Mahajan, SC for DDA.

Mr. Jatin Sapra, Advocate for R-5.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

04.10.2024

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1. The petitioner has filed this petition complaining of alleged unauthorised construction at property No. WZ-63, *Gali No.4, Ravi Nagar, New Delhi-110018* [“subject property”].

2. Mr. Kavish Aggarwal, learned Standing Counsel for Municipal Corporation of Delhi [“MCD”], who appears on advance notice, states that the property has been inspected, and unauthorised construction having been found, MCD proposes to issue a show cause notice to the owners/occupants of the subject property by 09.10.2024, and will take

W.P.(C) 13983/2024

Page 1 of 3



further action available to it in law, after considering the replies received from the owners/occupants, if any. He states that such action will be taken as expeditiously as possible and practical, subject to availability of police force, in the event the representation of the owners/occupiers is rejected.

3. Mr. Jatin Sapra, learned counsel, who appears on behalf of respondent No.5, states that respondent No.5 has no concern with the subject property.

4. In view of the above submissions made on behalf of learned counsel for MCD, no further orders are required in this writ petition, which stands disposed of, alongwith pending application.

5. 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 rights and remedies, available in law, are expressly reserved. MCD is directed to take action strictly in accordance with law, and after complying with all statutory requirements.

6. In the event the petitioner has any further grievance with regard to unauthorised construction after a lapse of eight weeks from today, he 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].

7. The petition, alongwith the application, is disposed of in terms of the above.

PRATEEK JALAN, J

OCTOBER 4, 2024
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