



\$~40

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

+ W.P.(C) 13988/2024

HARIT BRIJ GROVER

.....Petitioner

Through: Ms. Shefali Paul, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI

& ORS.

.....Respondents

Through: Mr. Sanjeev Sabharwal, SC for
MCD with Ms. Shweta Singh,
Advocates.

Mr. G.S. Oberoi, ASC for DDA.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

04.10.2024

1. The petitioner has filed this petition seeking action against alleged illegal unauthorised construction at plot No. A-4, *Basai Darapur, on main Najafgarh Road, New Delhi – 110015*.

2. Mr. Sanjeev Sabharwal, learned counsel for Municipal Corporation of Delhi [“MCD”] who appears on advance notice, states that MCD has identified the property from the photographs annexed to the writ petition, as property No. A-4, *Chote Lal Park, Moti Nagar, Opposite Pillar No.340, Najafgarh Raod, Delhi-110015* [“subject property”]. The said property has been inspected and unauthorised construction having been found, a show cause notice has been issued to the owners/occupiers of the property on 01.04.2023. A demolition order has also been issued on 19.04.2023, whereafter the owners/occupants of the subject property represented to MCD that they will themselves demolish the illegal construction. Mr. Sabharwal states that the illegal construction has not yet



been demolished, and MCD will take necessary action on 22.10.2024 when the demolition program has been fixed. Action will be taken on the said date or as soon thereafter as possible and practical, and not later than eight weeks from today, subject to the availability of police force.

3. In view of the above submissions, learned counsel for the petitioner does not seek any further orders in the writ petition, which stands disposed of.

4. As the address mentioned in the writ petition and the address mentioned by Mr. Sabharwal are different, in the event the petitioner has any further grievance with regard to any other illegal construction, 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].

PRATEEK JALAN, J

OCTOBER 4, 2024/SS/