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

+ W.P.(C) 14629/2024

HARIT BRIJ GROVER

.....Petitioner

Through: Mr. Sunil Kumar & Mr. Deepak
Gaur, Advocates.

versus

MUNICIPAL CORPORATION
OF DELHI & ORS.

.....Respondents

Through: Mr. Sanjeev Sabharwal, SC for
MCD with Ms. Shweta Singh,
Advocate for R-1.
Mr. G.S. Oberoi, ASC for DDA.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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21.10.2024

1. By way of this petition under Article 226 of the Constitution, the petitioner seeks action against portion of unauthorised construction on industrial land located at WZ-3, *Industrial Plot, Village Basai Darapur, New Delhi-110015* [“subject property”].

2. Ms. Shweta Singh, learned counsel for the Municipal Corporation of Delhi [“MCD”], who appears on advance notice, states that upon inspection of the subject property, unauthorised construction was found and the subject property was booked. A show cause notice was issued to the owners/occupants on 27.09.2024, to which no reply was received. A demolition order was therefore, passed on 07.10.2024 and demolition action has also taken place on 20.10.2024. Ms. Singh states that further demolition action, if necessary, will be taken as expeditiously as possible in accordance with law, and preferably within eight weeks from today, subject to the availability of the police force.



3. In view of the above statement of Ms. Singh, Mr. Sunil Kumar, learned counsel for the petitioner, does not seek further orders in the writ petition, which stands disposed of.

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 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.

5. In the event the petitioner has any further grievance with regard to unauthorised 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 21, 2024/'pv'/