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

+ **W.P.(C) 14744/2024**

SUDHIR BANSAL

.....Petitioner

Through: Mr. A.K. Mishra, Mr. Sanjay
Kumar, Advocates.

versus

GOVERNMENT OF NCT OF DELHI & ORS.Respondents

Through: Mr. Chetanya Singh, Advocate for
MCD.
Mr. Raghuvendra Upadhyay, Ms.
Purnima Jain, Mr. Vaibhav
Tripathi, Advocates for GNCTD.
Mr. Gaganmeet Singh Sachdeva,
Advocate for DDA.
Mr. Jatin Singh, Advocate for R-5
and R-7.
Mr. Manish Srivastava, Mr. Moksh
Arora, Mr. Yash Srivastava, Mr.
Santosh Ramdurg, Advocates for
R-6.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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21.10.2024

CM APPL. 61918/2024 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 14744/2024



1. The petitioner has approached this Court under Article 226 of the Constitution complaining of alleged encroachment and unauthorised construction on public land at *plot No. 5/198, Lalita Park, Laxmi Nagar, Delhi* [“subject land”].
2. It is the contention of learned counsel for the petitioner that unauthorised construction had earlier been erected on the subject land, which was booked in the year 2012 and demolition action was taken thereafter. However, there has been another recent attempt to encroach on the said land and erect unauthorised construction thereupon.
3. Mr. Chetanya Singh, learned counsel for the Municipal Corporation of Delhi [“MCD”], who appears on advance notice, states that the subject land is the property of the Government of NCT of Delhi. He submits that the concerned officials of MCD have inspected the property and found that some construction was ongoing. A stop work notice has been issued on 15.10.2024. Further inspection today reveals that the construction has been stopped. However, he submits that MCD will maintain vigil over the property to ensure that no unauthorised construction takes place, and in the event any unauthorised construction has been raised, action permissible in law will also be taken expeditiously and in any event within six weeks from today, subject to availability of police force.
4. In view of the aforesaid contentions, no further orders are required in this writ petition, which stands disposed of.
5. It is made clear that these submissions have been recorded without prejudice to the rights and contentions of the occupants of the property. They are at liberty to take such remedies as available to them in law.



MCD is directed to act strictly in accordance with law and after compliance of all statutory formalities.

OCTOBER 21, 2024
'Bhupi'/'

PRATEEK JALAN, J