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

+ **W.P.(C) 14877/2024 & CM APPL. 62434/2024**

SMT. KALPANA

.....Petitioner

Through: Mr. T.N. Saxena, Mr. S.K. Gupta,
Dr. Shiv Kumar, Mr. Akash
Shankar, Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS**

.....Respondents

Through: Mr. Ajjay Aroraa, SC with Mr.
Kapil Dutta, Advocate for MCD.
Mr. Sahaj Garg, SPC for UOI.
Mr. Tushar Sannu, Advocate for
DDA.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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23.10.2024

1. The petitioner has approached this Court under Article 226 of the Constitution complaining of alleged illegal construction at *Property bearing No. E-84, part of Khasra No. 268, Tikona Park, Okhla Village, Okhla, New Delhi-110025*.

2. Mr. Kapil Dutta, learned counsel for Municipal Corporation of Delhi ["MCD"] who appears on advance notice, states that the property has been inspected and it has been found that illegal construction on the property is ongoing. In fact, he submits that a demolition order was earlier passed on 08.12.2023, and the property was sealed on 06.03.2024. Both the demolition order and sealing order are handed up in Court and

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are taken on record. It appears that the seals have been tampered with, and further construction is being erected. Mr. Dutta states that the MCD proposes to take action available to it in law in respect of illegal construction on 28.10.2024 and 29.10.2024, or as soon thereafter as possible, subject to the availability of police force.

3. In view of the fact that MCD is seized of the issue raised in this petition, learned counsel for the petitioner states that no further orders are required in this writ petition, which stands disposed of alongwith pending applications.

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.

PRATEEK JALAN, J

OCTOBER 23, 2024
SS/