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

+ W.P.(C) 15340/2024 & CM APPL. 64330/2024

INDERJEET SINGH

.....Petitioner

Through: Ms. Srija Choudhury, Advocate.

versus

MUNICIPAL CORPORATION
OF DELHI & ORS.

.....Respondents

Through: Ms. Shilpa Ohri, ASC for MCD.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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29.10.2024

1. The petitioner has filed this petition, under Article 226 of the Constitution, seeking directions against the respondent No. 1-Municipal Corporation of Delhi ["MCD"] in respect of illegal construction and sealing of property bearing No. WZ-1, Plot No. 4, Vishnu Garden, Delhi-110018 ["subject property"].

2. Ms. Srija Choudhury, learned counsel for the petitioner, states that construction is ongoing at the subject property, which is adjacent to the petitioner's house [property bearing No. WZ-1, Plot No. 3, Vishnu Garden, Delhi-110018]. Ms. Choudhary submits that the construction commenced in July, 2023, and due to the illegal construction activities, the wall and roof of the petitioner's house collapsed on 20.09.2023. As a result, the petitioner sustained injuries. According to the petitioner, respondent Nos. 2 to 4, who are undertaking the construction, undertook to reimburse the petitioner's medical expenses. The petitioner also



approached the MCD with a complaint on 30.07.2024, which has not been answered.

3. Ms. Shilpa Ohri, learned counsel for the MCD, who appears on advance notice, states that, pursuant to the representation dated 30.07.2024, a caution notice was sent to the owners/occupants of the property on 05.08.2024. She states that the construction activities at the subject property were pursuant to a sanctioned building plan dated 21.08.2023, and that there are, in fact, no construction activities ongoing at present.

4. Having regard to the above submissions, the writ petition is disposed of, with the direction that the MCD will inspect the property again within the next two days, and in the event, any construction is found to be ongoing, the MCD will ensure that the said construction is being undertaken in compliance with health and safety regulations. However, in the event of any deviation, the MCD will take necessary action forthwith.

5. Further, in respect of the allegation of the illegal construction, the MCD will inspect the property after completion of the construction and take necessary steps in the event of any deviation from the sanctioned building plan.

6. The writ petition, alongwith the pending application, stands disposed of with the aforesaid directions.

PRATEEK JALAN, J

OCTOBER 29, 2024/MR/