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

+ W.P.(C) 15691/2024 & CM APPL. 65864-65/2024

RAM RIK

.....Petitioner

Through: Mr. Vipul Goel, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI

& ORS.

.....Respondents

Through: Mr. Harshit Chopra, Advocate for
MCD with Mr. Sanjeev Kumar.
Mr. Dhruv Sharma, Advocate for
R-4.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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12.11.2024

1. The petitioner has approached this Court under Article 226 of the Constitution complaining of alleged illegal construction in property No. *F-24, Katwaria Sarai, New Delhi – 110016* [“subject property”].
2. Learned counsel for the Municipal Corporation of Delhi [“MCD”], who appears on advance notice, states that the property has been inspected and an unauthorised construction having been found, a show cause notice has been issued to the owners/occupants of the property on 08.11.2024.
3. Learned counsel for respondent No. 4, who claims to be the owner of the subject property, states that he has filed a reply to the show cause notice yesterday i.e., 11.11.2024.

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4. Learned counsel for MCD states that further action will be taken expeditiously in accordance with law after considering the reply to the show cause notice.

5. MCD will pass necessary orders within a period of four weeks from today and take further action, if necessary, within a period of eight weeks thereafter, subject to the legal remedies available to the owners/occupants of the property, including respondent No. 4.

6. In view of the aforesaid submissions on behalf of MCD, learned counsel for the petitioner states that no further orders are required in this writ petition, which stands disposed of alongwith the pending applications.

7. 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 statutory remedies are reserved. MCD is directed to take action strictly in accordance with law, and after complying with all statutory requirements.

8. 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

NOVEMBER 12, 2024
“*Bhupi*”/