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

+ **W.P.(C) 15745/2024 & CM APPL. 66110/2024**

SUKHVINDER SINGH

.....Petitioner

Through: Mr. M.S.Bammi, Ms. Aarushi Aggarwal, Mr. Deepanshu Mittal and Ms. Lovee Tyagi, Advocates with petitioner in person.
(Through VC)

versus

THE COMMISSIONER MUNICIPAL CORPORATION OF DELHI AND ORS.

.....Respondents

Through: Mr. Tushar Sannu, Advocate for DDA with Mr. Nikhil Kadha, Advocate for R-4/STF
Mr. Tarun Chandela, Advocate for Mr. Abhishek Thakur, Advocate for MCD

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
13.11.2024

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1. The petitioner has approached this Court under Article 226 of the Constitution of India, complaining of alleged illegal construction in property bearing No. WZ-1, Mukhram Park, Tilak Nagar, New Delhi-110018.

2. Learned counsel for the Municipal Corporation of Delhi ["MCD"] appears on advance notice and submits that the property has been inspected and unauthorised construction having been found, a show cause



notice was issued to the owners of the property on 08.11.2024. He states that further action will be taken upon consideration of the reply to the show cause notice, if any, and demolition orders will be passed, if necessary, within four weeks from today.

3. Learned counsel for MCD states that consequential action as required in accordance with law will be taken within eight weeks thereafter, subject to availability of police.

4. In view of the aforesaid submission on behalf of MCD, learned counsel for the petitioner does not seek further orders in the writ petition, which stands disposed of, alongwith pending applications.

5. 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.

6. 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 13, 2024

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