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

+ W.P.(C) 15878/2024 & CM APPLs. 66695/2024, 66696/2024

SANJAY

.....Petitioner

Through: Mr.Sahil Nagpal, Advocate

versus

MCD AND ANR

.....Respondents

Through: Ms.Harita Mehta, Advocate for
MCD

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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18.11.2024

1. The petitioner has approached this Court under Article 226 of the Constitution, with respect to alleged illegal construction in property *No.3093, Gali Sushila, Kali Masjid, Sita Ram Bazar, Delhi-110006* [“subject property”].
2. Learned counsel for the Municipal Corporation of Delhi [“MCD”], who appears on advance notice, states that the subject property has been inspected and unauthorized construction having been found, a show cause notice has been issued to the owner of the property. He submits that further action will be taken in accordance with law after considering the reply to the show cause notice, if any.
3. In view of the above submissions on behalf of MCD, learned counsel for the petitioner does not seek any further orders in this writ petition, which stands disposed of, alongwith the pending applications.



4. The rights and contentions of respondent No. 2 or any owners/occupants of the subject property are expressly reserved. MCD is directed to take action strictly in accordance with law, and after complying with all statutory requirements and bearing in mind the Supreme Court judgment dated 13.11.2024 in *In Re: Directions in the matter of demolition of structures* [WP (C) 295/2022 and connected matters].

5. 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 18, 2024/‘SV’/AL/