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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 1851/2024**
HINA

.....Petitioner

Through: Mr. Rinku Yadav, Adv.

versus

SH ASHWANI KUMAR

.....Respondent

Through: Dr. Divya Swamy, Standing Counsel
with Ms. Nidhi Kumar, Mr. Yash Jain
and Ms. Akriti Singh, Adv. for MCD

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
22.11.2024

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CM APPL. 68050/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. Learned counsel for respondent appears on advance notice and, at the very outset, intimates that a Vacation Notice under Section 349 Delhi Municipal Corporation Act, 1957 has already been served in relation to the property in question i.e.H. No.457, Khasra No.451, Neb Sarai, IGNOU Road, New Delhi on 18.11.2024 and the owner/occupier/residents of the abovesaid building have been called upon to vacate the aforesaid premises/remove the unauthorised construction within three days else the MCD would take

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demolition/sealing action against the unauthorised construction existing in the aforesaid premises.

4. Learned counsel for the respondent submits that they would thereafter carry out further necessary action in accordance with law.

5. It is also undertaken that a copy of the abovesaid *Vacation Notice* shall be duly transmitted to the learned counsel for petitioner through electronic mode today itself.

6. In view of the abovesaid statement and Vacation Notice and sealing order, Mr. Rinku Yadav, learned counsel for the petitioner submits that, at the moment, he does not press his present contempt petition. He, however, submits that in case MCD does not take further action in accordance with law, he may be given liberty to come to the Court again.

7. In view of the above, the present petition stands disposed of as not pressed. Liberty, as prayed is granted.

MANOJ JAIN, J

NOVEMBER 22, 2024

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