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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 16995/2024
RANI DEVIPetitioner
Through: Ms. Parul Agarwal, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI
AND ANRRespondents
Through: Ms. Harita Mehta, Advocate.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
09.12.2024

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1. The petitioner has filed this petition, under Article 226 of the Constitution, complaining of alleged illegal construction in *Plot No. 4264, Gali Dataram, Pahari Dhiraj, Sadar Bazaar, Delhi-110006* [“subject property”].

2. Ms. Harita Mehta, learned counsel for the Municipal Corporation of Delhi [“MCD”] who appears on advance notice, states upon instructions, that the subject property has been inspected, and unauthorised construction having been found, a show cause notice has been issued to the owners/occupants of the subject property on 04.12.2024. She submits that no construction is ongoing on the subject property at present, and that MCD will maintain necessary vigil to ensure that no unauthorised construction takes place. She further submits, that after considering the reply to the show cause notice, if any, MCD will take further action, in respect of the unauthorised construction, expeditiously in accordance with law.

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3. In view of the above, learned counsel for the petitioner does not seek any further orders in the writ petition, which stands disposed of.

4. The rights and contentions of 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 formalities 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, she 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

DECEMBER 9, 2024/SS/JM/

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