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

+ W.P.(C) 17410/2024
SUDHIR PUTHRAN

.....Petitioner

Through: Mr. Gautam Singh, Mr. Naman
Choul, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI
& ANR.

.....Respondents

Through: Mr. Pritish Sabharwal, Ms. Shweta
Singh, Advocates for MCD.
Ms. Mehak Nakra, ASC with Ms.
Bhavya Nakra, Mr. Aditya Goyal,
Advocates for GNCTD.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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18.12.2024

CM APPL. 74109/2024 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 17410/2024

1. The petitioner has filed this writ petition complaining of alleged illegal construction at premises *No. A-13-D, DDA Flats, Munirka, Delhi – 110067* [“subject property”].

2. Mr. Pritish Sabharwal, learned counsel for the Municipal Corporation of Delhi [“MCD”], who appears on advance notice, states that the subject property has been inspected, and unauthorised construction having been found, a show cause notice was issued to the



owners/occupants of the subject property on 10.12.2024. A reply to the show cause notice has been received, and a hearing will be scheduled within the next ten days. Mr. Sabharwal states that further action will be taken after consideration of the reply to the show cause notice and hearing the owners/occupants of the subject property. He submits that if any further action is required, the same will be taken expeditiously and in accordance with law, after the lifting of the Graded Response Action Plan - IV restrictions.

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

4. The rights and contentions of the 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* [W.P. (C) 295/2022 and connected matters].

5. In the event the petitioner has any further grievances 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

DECEMBER 18, 2024

“Bhupi/JM”/