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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 17489/2024 & CM APPL. 74429/2024**

GURMEET GILL

.....Petitioner

Through: Mr. Nikkhil Malhotra and Mr.
A.K. Jain, Advocates.

versus

**MUNICIPAL CORPORATION
OF DELHI & ORS.**

.....Respondents

Through: Mr. Nitin Kala and Mr. Rachit
Gupta, Advocates for R-1 & 2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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19.12.2024

1. The petitioner has approached this Court under Article 226 of the Constitution, seeking action in respect of alleged unauthorised construction by respondent No. 3 at property bearing *No. S-109, Param Puri, Uttam Nagar, New Delhi- 110059* [“subject property”].
2. Learned Standing Counsel for the Municipal Corporation of Delhi [“MCD”], who appears on advance notice, states that the subject property has been inspected and found to be in an unauthorised regularised colony. As such, the construction has been erected without a sanctioned plan, and MCD proposes to issue a show cause notice to the owner/occupants of the subject property within the next one week. Learned counsel states that after considering the reply to the show cause notice, if any, MCD will take further action in accordance with law expeditiously.
3. In view of the above, learned counsel for the petitioner does not seek any further orders in this writ petition, which, alongwith the pending



application, 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* [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

DECEMBER 19, 2024/MR/JM/