



\$~11

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

+ W.P.(C) 17581/2024

RAHUL SHARMA

.....Petitioner

Through: Mr. Bhojraj, Advocate.

versus

GOVT OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Raghavendra Pratap Singh,
Advocate for MCD/R-2 & 3.
Mr. Rajnish Kumar Gaiind, SPC for
R-4 & 5. [M:-9810262633].
Ms. Latika Malhotra, Advocate for
R-6 & 7/DDA-STF.
Mr. R.K. Dhawan, Standing
Counsel for NDMC with Ms.
Nisha Dhawan & Mr. Naman
Kumar Thakur, Advocates for R-8.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

20.12.2024

1. The petitioner has approached this Court under Article 226 of the Constitution, seeking a direction upon the respondents to demolish a structure being raised at property No. 429, Ward No. II, Kucha Brij Nath, Chandni Chowk, Delhi-110006 [“subject property”].
2. The petitioner had earlier approached the Court for the same relief in W.P.(C) 15394/2024 [*Rahul Sharma vs. Govt. of NCT of Delhi and Ors.*] but was permitted to withdraw the petition with 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.*].

3. The petitioner claims to have made a complaint to the STF on 13.11.2024, but states that no action has been taken. Ms. Latika Malhotra, learned counsel appears on behalf of STF, states that a meeting of the STF is scheduled today and the petitioner's complaint is also scheduled for consideration at the said meeting.

4. The petition is, therefore, disposed of with a direction that STF will take an expeditious decision on the petitioner's complaint. If the complaint regarding unauthorised construction is found to be correct, the Municipal Corporation of Delhi is directed to act upon the same in accordance with law within a period of six weeks from today, subject to lifting of the Graded Response Action Plan- IV restrictions and availability of police force. If any construction is found to be ongoing at the subject property, MCD is also at liberty to issue a stop work notice.

5. It is made clear that this order is made without prejudice to the rights and contentions of any owners/occupants of the subject property, whose remedies 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].

6. The writ petition stands disposed of with these observations.

PRATEEK JALAN, J

DECEMBER 20, 2024/'pv/JM'/