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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 17862/2024 & CM APPL. 75998/2024**

CHANDERKANTAPetitioner
Through: Mr. Arun Vidyarthi and Mr.
Kuldeep Gautam, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI
THROUGH COMMISSIONER & ORS.Respondents
Through: Mr. Kapil Dutta and Mr. Vansh
Luthra, Advocates for MCD.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
23.12.2024

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1. The petitioner has filed this petition under Article 226 of the Constitution for the following reliefs:

“a That this Hon'ble Court be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction in nature of Mandamus thereby directing the respondents to conduct thorough enquiry/department enquiry/investigation or appropriate action is required by the senior level officer of MCD in view of complaint dated 29.09.2023 filed by the petitioner for committing forgery against person involved.

b. That this Hon'ble Court be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction in nature of Mandamus thereby directing the respondents to take appropriate action on complaint dated 29.09.2023 for committing forgery against person involved.

*c. That this Hon'ble Court be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction in nature of Mandamus Thereby directing the respondents to produce the record of forged and fabricated 67 complaints as mention in **Annexure-I,J***



& K.

*d. Pending hearing and final disposal of the present writ petition that this Hon'ble Court be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction in nature of Mandamus Thereby directing the respondents to produce the record with respect to action taken on complaint dated 07.08.2023 and reminder dated 14.11.2023 **Annexure-D(colly)**.*

*e. That this Hon'ble Court be pleased to issue a writ of Mandamus or any other appropriate writ, order or direction in nature of Mandamus thereby directing the quash the forged and fabricated 67 complaints as mention in **Annexure-I, J & K**.*

in the name of petitioner.

f. Pass such further and other reliefs as the nature and circumstances of the case may require.”

2. The contention of the petitioner is that her signature, name and address have wrongly been used by third parties to make 67 complaints to the respondent-Municipal Corporation of Delhi [“MCD”] complaining of unauthorised construction, in various locations in her neighbourhood. She has therefore filed a written complaint on 16.09.2023, in Police Station Kamla Market [Annexure F to the writ petition]. It is stated therein that the petitioner had earlier filed two complaints against one of her neighbours who happened to be a senior officer of MCD, but had not filed any complaints against any other person. The petitioner has also approached the functionaries of MCD with similar complaints, and seeks an inquiry into the manner in which her signature, name and address have been misused to make complaints against third parties.

3. I have heard learned counsel for the parties.

4. Mr. Kapil Dutta, learned counsel for the MCD points out that the allegations of the petitioner in respect of forgery by third parties are the subject matters of inquiry by the police authorities. Mr. Dutta states that



the MCD will cooperate in the said investigation as required by the police authorities, and if any official of MCD is found to have been involved, necessary action will be taken.

5. As far as the substantive allegations contained in the alleged complaints is concerned, Mr. Dutta submits that MCD will not act upon the said complaints but he reserves the rights of MCD to exercise its statutory powers in respect of any unauthorised constructions within its jurisdiction.

6. Having heard learned counsel for the parties, I am of the view that the petition is required to be disposed of in terms of Mr. Dutta's submissions, and no further relief is required in this writ petition. As far as the allegations of forgery and misuse of the petitioner's name, signature and address are concerned, those are the subject matter of the complaint dated 16.09.2023, filed by her in Police Station Kamla Market. The petitioner is at liberty to pursue the said complaint to its logical conclusion. Mr. Dutta's statement, that MCD will cooperate in the said investigation and will take action against any of its own officials, if found to be involved, is taken on record.

7. MCD is also free to take action against any unauthorised construction within its jurisdiction, but will not proceed on the basis of the complaints purportedly made by the petitioner.

8. The writ petition, alongwith pending application, stands disposed of, in these terms.

PRATEEK JALAN, J

DECEMBER 23, 2024/MR/kb/