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

+ **W.P.(C) 350/2025**

VIRENDER KUMAR

.....Petitioner

Through: Ms. Ekta Gambhir, Mr. Shashi Kant Gour and Ms. Ritu Gour, Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Ms. Anshula L. Bakhru, Standing Counsel for Respondents No.1 and 2/MCD.

Mr. Akhil Mittal, ASC with Ms. Narita Gupta, Advocate for Respondent No.3/DDA.

Mr. Badar Mahmood, SPC and Mr. Anisul Haque, Government Pleader with Mr. Ammar Ahmad, Advocate for Respondent No.4.

Mr. Manish Srivastava, Mr. Moksh Arora and Mr. Yash Srivastava, Advocates for Respondents No.5 and 6/BSES-RPL.

Ms. Sangeeta Bharti, Standing Counsel for Respondent No.7/DJB.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

13.01.2025

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CM APPL. 1738/2025

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following reliefs:

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“(i) Issue appropriate writ or direction or order in the nature of Mandamus whereby directing the respondent Nos 1 to 4 to remove/demolish the unauthorised construction in the shape of deviation and excess coverage in Property bearing Nos. A, B, C and D Local Shopping Centre, Madangir, New Delhi-110062;

(ii) Issue an appropriate writ or direction or order in the nature of mandamus whereby directing the respondent Nos. 5 to 7 to disconnect electricity and water connections for the unauthorised use at the unauthorised construction in Property bearing Nos. A, B, C and D Local Shopping Centre, Madangir, New Delhi-110062;”

4. Learned counsel for Respondents No.1 and 2/MCD appearing on advance copy of the writ petition, submits that Respondent No.8 was called earlier also on four occasions but due to his ill-health he was unable to appear and now matter is fixed for personal hearing on 15.01.2025.

5. Let the MCD proceed with the personal hearing on 15.01.2025. Petitioner may also participate in the personal hearing for which time and venue will be intimated to him telephonically.

6. Petitioner avers that a complaint has been made by him before the Special Task Force (STF), but no action has been taken so far. Let further action be taken by the STF and the MCD, in accordance with law. MCD will ensure that action is taken in compliance with all statutory formalities and bearing in mind the judgment of the Supreme Court in ***In Re: Directions in the matter of demolition of structures, 2024 SCC OnLine SC 3291***. Petitioner will be at liberty to take recourse to legal remedies in case of any surviving grievance. This order is being passed by the Court without prejudice to rights and contentions of Respondent No.8.

7. Petition stands disposed of.

JYOTI SINGH, J

JANUARY 13, 2025/B.S. Rohella

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