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

+ **W.P.(C) 1366/2023 and CM APPL. Nos. 21697/2024 and 25470/2024**

VIJAY KUMAR BHATIA

.....Petitioner

Through: Mr. Rakesh Sachdeva, Mr. Abhay Pratap Singh and Mr. Sarthak Bhardwaj, Advocates with Petitioner in person.

Versus

**NEW DELHI MUNICIPAL COUNCIL
& ORS.**

.....Respondents

Through: Mr. Sriharsha Peechara, Standing Counsel with Mr. Akshat Kulshreshtha and Mr.D.S. Bhanu, Advocates for NDMC.

Ms. Meghna, Advocate for DDA.

Mr. H.S. Phoolka, Senior Advocate with Ms. Nandita Rao, Mr. Jai Shankar, Ms. Supreet Kaur, Mr. Manoj Makhija, Mr. Arani, Mr. Mayank Besoya, Mr. Amit Kumar Dubey and Mr. Ashish Kumar, Advocates for R4.

Mr. Amit Gupta, SPC with Mr. Vidur Dwivedi, Advocate for UOI.

SI Karan Singh, PS-Lodhi Colony.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

24.01.2025

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1. This writ petition is preferred by the Petitioner under Article 226 of the Constitution of India seeking a direction to Respondents No. 1 to 3 to demolish the alleged unauthorized construction carried out by Respondents No. 4 to 9 in Block-J, B.K. Dutt Colony, New Delhi.

2. After canvassing some arguments, learned counsel appearing on behalf of the Petitioner seeks to approach the Special Task Force ('STF')



constituted pursuant to the directions of the Supreme Court in *M.C. Mehta v. Union of India and Others*, (2019) 12 SCC 730 and *M.C. Mehta v. Union of India and Others (Sealing Issue, in Re)*, (2019) 12 SCC 419.

3. Writ petition is disposed of as withdrawn with liberty to the Petitioner to approach the STF, in accordance with law. It will be open to the Petitioner to place the pleadings of this writ petition including the orders passed by the Court from time to time, before the STF. Similarly, Respondents will be at liberty to place the status reports filed in the present writ petition.

4. As and when Petitioner approaches STF, necessary action will be taken keeping in mind the judgment of the Supreme Court in *In Re: Directions in the matter of demolition of structures*, 2024 SCC OnLine SC 3291. This order is passed without prejudice to the rights and contentions of all parties to the *lis* including Respondents No. 4 to 9.

5. At this stage, learned counsel for the Petitioner assures the Court that before approaching the STF seeking a direction against Respondents No. 4 to 9, he will demolish the unauthorized construction admittedly carried out by him in his own property. MCD shall inspect the property of the Petitioner and will report to STF in this regard.

6. Writ petition stands disposed of, along with pending applications.

JYOTI SINGH, J

JANUARY 24, 2025/jg/shivam