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

+ **W.P.(C) 611/2025**

ROHIT JAIN

.....Petitioner

Through: Mr. Navlendu Kumar, Advocate.

versus

**MUNICIPAL CORPORATION OF DELHI
AND OTHERS**

.....Respondents

Through: Ms. Arti Bansal, ASC with Ms. Shruti Goel, Advocate for Respondent No.1/MCD.
Mr. Manish Kumar, SPC with SI Mandeep Kumar, PS: Punjabi Bagh, for Respondent No.2/SHO.
Mr. O.P. Gupta, Mr. Sanjeev and Ms. Megha Gupta, Advocates for Respondent No.4.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

21.01.2025

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CM APPL.2823/2025

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

W.P.(C) 611/2025

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

"It is, therefore, respectfully prayed to this Hon'ble Court that a direction may be issued to the respondent no.1 to take action against respondent no.4 for raising unauthorized construction at House No.WZ-22-A, WZ-11 and WZ-10 all at Manohar Park, East Punjabi Bagh, New Delhi- 110026 in violation of the building bye-laws of respondent no. 1, in the interest of justice, equity and good conscience."

W.P.(C) 611/2025

page 1 of 2



4. Learned ASC appearing on behalf of MCD on advance copy of the writ petition, on instructions, states that show cause notice has been issued to Respondent No.4 on 22.11.2024 and reply has been received. Noticee will be called for personal hearing within four weeks from today, whereafter action will be taken in accordance with law.

5. Mr. O.P. Gupta, learned counsel appearing on behalf of Respondent No.4 submits that the properties against which notices have been issued are old properties and one of them has a sanctioned building plan and that the present writ petition is nothing but a counterblast to the writ petition being W.P.(C) 275/2024 filed by Respondent No.4 and a pressure tactic to coerce Respondent No.4 to withdraw the said litigation.

6. Without entering into the merits of the rival contentions, this petition is disposed of taking on record the stand of MCD that notice has been issued to Respondent No.4 and he will be called for personal hearing and action will be taken, if warranted.

7. Needless to state that any action of the MCD will be in accordance with statutory provisions and judgment of the Supreme Court in *In Re: Directions in the matter of demolition of structures, 2024 SCC OnLine SC 3291*. In case of any further grievance(s), both Petitioner and Respondent No.4 will be at liberty to take recourse to legal remedies.

JYOTI SINGH, J

JANUARY 21, 2025

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W.P.(C) 611/2025

page 2 of 2