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

+ **W.P.(C) 5180/2019 & CM APPL. 22915/2019**

FAZAL-UR-REHMAN

.....Petitioner

Through: None.

versus

NORTH DELHI MUNICIPAL CORPORATION AND ORS.

.....Respondents

Through: Ms. Namrata Mukim Standing
Counsel MCD and Ms. Niharika
Singh, Advocate for Respondent No.
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SI Aayush Rajput, PS-Jama Masjid
(M:8587391887)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

23.04.2025

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1. None appears for the petitioner when the matter is called out.
2. Even on the last two dates, there has been no appearance on behalf of the petitioner.
3. Learned counsel for respondent/Municipal Corporation of Delhi ("MCD"), has pointed out that the present petition has been filed with regard to an unauthorized construction in property bearing no. 479-B, situated at Chitla Gate, Chawri Bazar, Delhi-110006. However, she submits that there is no such property, with the said number.
4. Prayer in the present petition, is reproduced as under:

*"(i) for issuance of a writ/order/direction in the nature of a writ of mandamus thereby directing the respondents no. 1 to 3 to take legal action of demolition of illegal and **unauthorized construction being raised by respondent No. 4 & 5 in property bearing No. 479-B** (being*



part of property bearing No. 479) situated at Chitla Gate, Chawri Bazar, Delhi-110006; and

xxx xxx xxx”

(Emphasis Supplied)

5. In response to the present petition, Status Report has been filed on behalf of the respondent/MCD, the relevant portion of which, reads as under:

“xxx xxx xxx

*3. That it is respectfully submitted that the property in question i.e. 479, Chitla Gate, Chawri Bazar, Delhi-06 was inspected by the field officials on 06.11.2019. During the inspection, it was noticed that only property No. 479, Chitla Gate, Chawri Bazar, Delhi-06 exists on site which upon local enquiry stated to be divided into four different portions having same number. It is submitted that out of four portions, one of the portion is occupied by the petitioner himself and remaining portions are occupied by the different occupants. During the inspection, neither any construction activities were found in progress nor any building material was found stacked at site. **It is further submitted that there is no property with the number 479-B found in existence during the inspection.** The photographs of the property No. 479, Chitla Gate, Chawri Bazar, Delhi-06 taken during the Course of inspection on 06.11.2019 are annexed herewith as Annexure A-1 Colly.*

xxx xxx xxx”

(Emphasis Supplied)

6. Reading of the aforesaid Status Report, makes it apparent that the stand of the MCD is that there is no property with the number 479-B. Further, inspection in property no. 479, Chitla Gate, Chawri Bazar, Delhi - 06 was carried out and no construction activities were found in progress. Further, no building material was found stacked at site.

7. Accordingly, noting the aforesaid, the present writ petition, along with the pending application, is disposed of.

MINI PUSHKARNA, J

APRIL 23, 2025/au