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

+ **W.P.(C) 9799/2021**

ZULFIQAR ALI

.....Petitioner

Through: **Mr. Mohd. Shoaib, Advocate.**

versus

SDMC & OTHERS

.....Respondents

Through: **Mr. Anuj Chaturvedi and Ms. Richa Dhawan, Standing Counsels with Ms. Harshita Maheshwari and Mr. Pawan Karan Deo, Advocates for Respondent No.1.**

Mr. Zafar Khurshid, Advocate for Respondent No.2.

Ms. Avni Singh, Panel Counsel with Ms. Prapti, Advocate for Respondent No.5.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

04.03.2025

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1. This writ petition is preferred on behalf of the Petitioner under Article 226 of Constitution of India seeking a direction to MCD to remove the illegal and unauthorised construction carried out by Respondents No.2 and 3 on pavements and other public land outside building bearing No. K-185/1 carved out of Khasra No. 52, Surya Plaza Complex, Sarai Jullena in the revenue estate of Village Bahapur, New Delhi in terms of MCD's show cause notice dated 26.02.2021 as per law.

2. In light of the status reports filed by MCD and SDM, Kalkaji and in light of the disputed question arising in the writ petition including those



related to encroachment, violation of layout plan and demarcation, in my view, it will be appropriate that the Petitioner takes recourse to approaching the Special Task Force ('STF') constituted by the Delhi Development Authority vide Notification dated 25.04.2018 in view of the orders 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 with liberty to the Petitioner to approach the STF. As and when the Petitioner makes a complaint to the STF, the same shall be taken up for consideration in its next meeting. It shall be open to the Petitioner to place the pleadings of this writ petition including status reports before the STF for consideration.

4. Writ petition stands disposed of, without entering into the merits of the case.

JYOTI SINGH, J

MARCH 4, 2025

B.S. Rohella