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

+ **W.P.(C) 15252/2024 & CM APPL. 73859/2024**

LAXMI WAGAV

.....Petitioner

Through: Mr. Siddhartha Kumar Wagav, son of
petitioner in person.
(M): 7388790556
Email: wagavsk@gmail.com

versus

**MUNICIPAL CORPORATION OF DELHI AND
ORS.**

....Respondents

Through: Mr. Kapil Dutta with Mr. Vansh
Luthra, Advocates for MCD.
(M): 9811135509
Email: kapilduttamed@gmail.com
Mr. Nishant Gautam, CGSC with
Mr. Dhruv Joshi, Mr. Vinay Kaushik,
Mr. Vipul Verma and Mr. Prithvi,
Advocates for respondent no. 3.
(M): 8826148996
Ms. Shilpa Ohri, Additional Standing
Counsel for MCD,

**CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER
28.03.2025**

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1. The present writ petition has been filed seeking directions to the respondent nos. 1 and 2 to fulfil their statutory obligations by temporary de-sealing the DDA Flat No. C-2/2008, Vasant Kunj, New Delhi-110070, which is above the flat of the petitioner, i.e., DDA Flat No. C-2/2006,



Vasant Kunj, New Delhi-110070.

2. Today, learned counsel appearing for the respondent/Municipal Corporation of Delhi ("MCD"), hands over a copy of an order dated 17th January, 2025, issued by the Building Department-II, South Zone, Green Park, MCD, to submit that the flat in question, i.e., *Flat No. C-2/2008, Vasant Kunj, New Delhi-110070*, existing above the flat of the petitioner, has already been permanently de-sealed *vide* order dated 17th January, 2025.
3. The said order dated 17th January, 2025, is taken on record. The same reads as under:

 **MUNICIPAL CORPORATION OF DELHI
(BUILDING DEPARTMENT)-II
SOUTH ZONE: GREEN PARK: NEW DELHI**

No. 4749 / Bldg.-II/SZ/2025 Date: 17/01/2025

Shri Badhi Raj Lohia,
R/o B1-C, Kala Sarai, Sarvapanna Wihar,
New Delhi - 110016

Subject: Permanent de-sealing of property bearing DDA Flat No. C-2/2008, Vasant Kunj, New Delhi

Sr,

In this particular instance, consequence upon removal of cause of action or portion lodged on account of unauthorized construction/ deviations against DDA's standard plan of property bearing DDA Flat No. C-2/2008, Vasant Kunj, New Delhi; the competent authority/ Addl. Comm. (Engg.) vide its order dated 24/12/2024 has allowed permanent de-sealing.

In view of above, the property, in question is being de-sealed permanently.

Copy for kind information to:-

1. Deputy Commissioner - South Zone.
2. Superintending Engineer-II/South Zone.
3. Executive Engineer (Bldg.)-II/South Zone.
4. Station House Officer - Police Station - Vasant Kunj (North).
5. Jt. Engineer (Bldg.)/SZ for necessary compliance.

Asstt. Engineer (Bldg.)
South Zone

Asstt. Engineer (Bldg.)
South Zone

4. Learned counsel appearing for the respondent/MCD submits that



various opportunities were given to the owner/occupier of *Flat No. C-2/2008, Vasant Kunj, New Delhi-110070*, to rectify the various deviations. It was only after the deviations were rectified by the owner/occupier of *Flat No. C-2/2008, Vasant Kunj, New Delhi-110070*, that the flat in question has been permanently de-sealed.

5. This Court records that *vide* order dated 29th October, 2024, the petitioner had already given up prayer (b) with respect to seeking compensation.

6. Thus, the only prayer which remains before this Court is with respect to the de-sealing of the DDA *Flat No. C-2/2008, Vasant Kunj, New Delhi-110070*.

7. Since the said flat has already been de-sealed, the prayer made in the present petition, stands satisfied.

8. Accordingly, the present writ petition is disposed of, as having been satisfied.

MINI PUSHKARNA, J

MARCH 28, 2025

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