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

+ **CONT.CAS(C) 1889/2024**

MOHD NADEEM

.....Petitioner

Through: Mohd. Farooqui, Adv. (through VC)

versus

DR GYANESH BHARTI & ORS.

.....Respondents

Through: Mr. Manu Chaturvedi, Standing
Counsel for MCD.

Mr. Tushar Sannu, Ms. Aqsa, Utkarsh
Singh, Advs. for DDA.

Mohd. Naved Mian, Adv. for R-5.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **05.05.2025**

CM APPL. 69412/2024 (Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. Application stands disposed of.

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1. Mr. Manu Chaturvedi, counsel appearing for MCD has handed up a copy of the Status Report, the same is also on record.
2. The Status Report notes in detail, the steps which have been taken in respect of demolition and sealing of the subject property.
3. Counsel for petitioner states that he has been made aware of the same and the petitioner does not wish to pursue the same, at this stage.
4. Counsel for MCD, informs the Court, that as noted in the Status Report, *four work-stop notices* and *four watch & ward notices* have been issued, from time to time, which were flouted time and again, by respondent



no. 5 and they have had to take subsequent action.

5. Letters have been issued to SHO, P.S. Shaheen Bagh, in this regard, to keep a strict vigil on the property, so that the builder may not be able to restore the demolished portion.

6. However, it is evident that not enough action has been taken by the SHO, P.S. Shaheen Bagh and the builder is brazenly flouting the same and is restoring the demolished portion of the property and has tampered with the seal fixed by the Department.

7. In this regard, SHO, P.S. Shaheen Bagh, is directed to perform their duties *inter alia* under the **Standing Order No. L&O/51/2022**, issued by the Commissioner of Police on 6th June 2022, a copy of which, has been handed over to this Court, by counsel for MCD.

8. Any action done by the respondent no. 5 or any other party to violate the directions of this Court and the steps taken in respect of unauthorized construction, will be strictly dealt with.

9. Counsel for respondent no. 5 is present in Court today and acknowledges the same and assures the Court, on behalf of respondent no.5, that they will assure the Court, that neither the restoration process has been undertaken, post the demolition, nor has the affixed seal, been tampered with.

10. This undertaking is taken on record; therefore, petition is disposed of with liberty to revive the same in case there is a residual or continued infraction.

11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 5, 2025/ak/kp