

(2025) 02 DEL CK 1194

In the Delhi High Court

Case No : Writ Petition (C) No. 2380 Of 2025 & Civil Miscellaneous Petition No. 11268 Of 2025

Jasvinder Singh

APPELLANT

Vs

Chairman DDA And Ors

RESPONDENT

Date of Decision : 25-02-2025

Acts Referred:

Citation : (2025) 02 DEL CK 1194

Hon'ble Judges : Manoj Jain, J

Bench : Single Bench

Advocate : M.S. Bammi, Manika Tripathy, Gautam Yadav, Payal

Final Decision : Disposed Of

Judgement

Manoj Jain, J

1. Petitioner seeks directions to respondents to take steps to ensure that no further illegal or unauthorized construction takes place at property bearing Plot No.223A, Khasra No.39/23, Village Karala, Anand Pur Dhaam, Delhi and to demolish any portion of such property that has been illegally and unauthorizedly constructed.

2. However, on careful perusal of the entire matter, it is noticed that petitioner had earlier also filed a writ petition which was registered as W.P.(C) 14645/2024 and when the abovesaid writ petition was taken up for consideration by learned Coordinate Bench of this Court on 21.10.2024, it was disposed of by directing as under:-

"3. The Supreme Court vide orders dated 24.04.2018 and 18.07.2018 in W.P.(C) 4677/1985 [M.C. Mehta vs Union of India & Ors.] has constituted a Special Task Force ["STF"] comprising representatives of all agencies, including MCD, DDA, Government of NCT of Delhi etc., to take coordinated action in respect of unauthorised construction in the city.

4. Mr. M.S. Bammi, learned counsel for the petitioner, states that the petitioner has, subsequent to filing of the present writ petition, made a complaint to the STF on 18.10.2024.

5. In view of the above, the writ petition is disposed of with liberty to the petitioner to pursue his complaint before the STF. The STF is directed to take action as expeditiously as possible and in accordance with law."

3. The grievance raised in the present petition is merely to the effect that despite the fact that petitioner has already lodged his complaint with STF, there is no decision so far.

4. Learned counsel for the petitioner submits that petitioner has also filed a civil suit in North-West, Rohini when it is under scrutiny fo registry.

5. Learned counsel for respondent/DDA and learned counsel for respondent/MCD appear on advance notice.

6. After hearing arguments for some time, learned counsel for the petitioner, without prejudice to his rights and contentions, seeks permission to withdraw the present writ petition with liberty to file appropriate contempt petition for wilful and deliberate defiance of the specific directions given by learned Coordinate Bench of this Court on 21.10.2024 in W.P.(C) 14645/2024.

7. In view of the above, present writ petition is, accordingly, disposed of. Liberty, as prayed, is granted.

8. All the rights and contentions of the parties are reserved.

9. Before parting the Court, however, want to make it clear that MCD and DDA, both, should come forward and assist STF in the most appropriate and desired manner as it is noticed that during the course of the arguments, which had taken place today, according to learned Standing counsel for DDA, the jurisdiction is of MCD whereas according to learned counsel for MCD, the jurisdiction over the property in question is with DDA. It is expected that they would resolve between themselves and would ensure that requisite assistance is rendered to STF with respect to the abovesaid complaint.

10. The petition stands disposed of.

11. Copy of the order be given dasti under the signatures of Court Master.