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

+ **CONT.CAS(C) 834/2020**

SH. HIMANSHU

..... Petitioner

Through: Mr Vivek Sharma and Prashant
Choudhary, Advocates

versus

DR. DILRAJ KAUR COMMISSIONER EDMC Respondent

Through: Ms. Dipti Chauhan & Mr. Abhinav
Ramkrishna, Advocates
Mr. Mukesh Gupta, Advocate (Through
VC)
Mr. Abhinav Singh, Advocate for
GNCTD

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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11.05.2023

CM APPL. 24376/2023 (For Exemption)

Allowed, subject to all just exceptions.

Accordingly, the present application stands disposed of.

CM APPL. 24375/2023 & CM APPL. 24377/2023

1. These applications are filed by seven (7) individuals, who state that they are purchasers of individual flats on plot bearing No. C-73, West Jyoti Nagar, Delhi, admeasuring 200 Sq. Yds ('subject property').
2. It is stated in the application at paragraph '4' that the flats in the subject property have been purchased *vide* individual sale deeds (all) executed between January, 2021 and October, 2021.
3. The Applicants herein are aggrieved by the demolition action



proposed to be undertaken by Municipal Corporation of Delhi ('MCD') in pursuance to the demolition order passed with respect to subject property.

4. After some arguments, the learned counsel for the applicants seeks liberty to withdraw this application and approach the Appellate Tribunal, Municipal Corporation of Delhi ('ATMCD') to seek their statutory remedy against the demolition order issued by MCD in accordance with law.

5. With the aforesaid directions, the present applications are dismissed as withdrawn.

CONT.CAS(C) 834/2020

6. Upon perusal of the aforesaid application, it has come to this Court's attention that though this property was booked for unauthorized construction in the year 2019, subsequently, the owner of the subject property has executed sale deeds in the year 2021, details whereof are given at paragraph '4' of CM APPL. 24375/2023.

7. The said sale deeds have been registered by Sub-Registrar (IV-A), Shahdara.

8. In the facts of this case, Sub-Registrar (IV-A), Shahdara is impleaded as Respondent No. 2.

9. Issue notice. Mr. Abhinav Singh, panel counsel, GNCTD accepts notice.

10. Respondent No. 2 is directed to file a status report disclosing if it has notice from MCD of the booking of unauthorized construction in the subject property; and if it had the said information, whether the said fact was disclosed to the subsequent purchasers i.e., the Applicants herein while registering their sale deeds. The said status report is to be filed within a period of two (2) weeks.



11. List the matter on the date already fixed i.e., 26.05.2023.

MANMEET PRITAM SINGH ARORA, J
MAY 11, 2023/rhc