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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CONT.CAS(C) 1416/2022**  
**AJAY RAIZADA & ORS.** .....Petitioners  
Through: **Mr.P.S.Sharda, Advocate with**  
**petitioners in person.**  
  
versus  
**S.C. PLAHNIAN** .....Respondent  
Through: **Mr.Kirti Uppal, Sr. Advocate**  
**with Mr.Subhash Chandra,**  
**Mr.Sanjeev Bansal and**  
**Mr.Shekhar , Advocates**  
**Mr.Sanjay Katyal, SC for DDA.**  
**Mr.Febin M.Varghese and**  
**Ms.Shrishti Agrawal,**  
**Advocates for DUAC.**  
  
+ **W.P.(C) 286/2018 & CM APPL. 1195/2018, CM APPL.**  
**56030/2022, CM APPL. 33176/2024**

**SH. AJAY RAIZADA AND ORS.** .....Petitioners  
Through: **Mr.P.S.Sharda, Advocate with**  
**petitioners in person.**  
  
versus

**UNION OF INDIA AND ORS.** .....Respondents  
Through: **Mr.Kirti Uppal, Sr. Advocate**  
**with Mr.Subhash Chandra,**  
**Mr.Sanjeev Bansal and**  
**Mr.Shekhar , Advocates for R-**  
**5.**  
**Mr.Sanjay Katyal, SC for DDA.**  
**Mr.Febin M.Varghese and**  
**Ms.Shrishti Agrawal,**  
**Advocates for DUAC.**  
**Mr.Ramesh Khatri, Advocate**  
**for R-6.**

**CORAM:**  
**HON'BLE MR. JUSTICE DHARMESH SHARMA**

**ORDER**



% **07.08.2024**

1. Having heard the learned counsels for the parties in some detail, the long and short of the position that emerges is that the grievance of the petitioners is that the proposed construction at the site in question has been carried out in complete violation of the building bylaws and *de hors* the approved sanction plan of construction accorded by the DDA to the respondent/society.
2. It is pointed out that the DDA has already filed two affidavits on the record whereby the concerned Officials have deposed that the DDA has majorly approved the construction which has so far been carried out at the site, and thereby supporting the case of the respondent/society to the effect that the proposed construction has been done and also envisaged to be done in conformity with the building bylaws.
3. The present matter requires the assistance and inputs of a technical expert for effective adjudication of the matter, and therefore, it would be expedient that a senior engineer not below the rank of Chief Engineer, of the DDA should appear in the Court on the next date of hearing with the relevant record and explain to the Court as to how they have substantiated the depositions of the DDA as regards the construction under challenge herein, as also what could be the future course of action so as to ensure that any further construction is done in accordance with law.
4. Renotify on 24.09.2024 at 2.30 PM in the category of Part-heard.

**DHARMESH SHARMA, J.**

**AUGUST 7, 2024/VLD**



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