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

+ W.P.(C) 3759/2024 and CM APPL.15452/2024

SMRITI BHATIA

..... Petitioner

Through: Mr. Sandeep Sethi, Sr. Adv. along with Mr. Shaunak Kashyap, Ms. Parul Tuli, Mr. Adab Singh Kapoor, Ms. Nistha Gupta and Mr. Ahmar Shad, Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ORS..... Respondents

Through: Mr. Ajjay Arora, Mr. Kapil Dutta, Mr. Vansh Luthra, Mr. Simran Arora and Ms. Nidhi Sharma, Advs. for MCD.

Mr. Satyakam, ASC.

Mohd. Irshad, ASC along with Ms. Nasreen, Mr. Kunal Raj, Advs. for R-2 and 3.

Mr. Rajiv Nayar, Sr. Adv. along with Mr. Virender Mehta and Mr. Kunal Mehta, Advs. for R-5.

SI Chetan Rana, PS VK South

**CORAM:**

**HON'BLE MR. JUSTICE SACHIN DATTA**

**ORDER**

% **01.04.2024**

1. Vide order dated 18.03.2024, it was *inter-alia* directed as under:

*“4. Let the MCD file an affidavit, within a period of one week, placing on record whether any unauthorized construction took place in the property in question, (i) during the period between 01.09.2023 [when the demolition order under Section 343 of the DMC Act and also an order under Section 344 (2) of the DMC Act came to be passed] and 18.01.2024 (when the Appeal No.627/2023 was disposed of by the ATMCD); and (ii) during the period, after 18.01.2024 till the date of*



*the filing of the present petition.*

*5. The concerned SHO is also directed to file an affidavit as to the steps taken by it after receipt of the order dated 01.09.2023 passed under Section 344 (2) of the DMC Act and as to the steps taken to ensure that no unauthorised construction has been carried out after 18.01.2024. Let the same also be filed within a period of seven days from today.”*

2. Although an affidavit has been filed on behalf of MCD in terms of the aforesaid directions, however, affidavit filed on behalf of the concerned SHO is not on record. Let the same be placed on record before the next date of hearing.
3. Learned counsel for MCD and learned counsel for SHO reiterate their assurance/ undertaking as recorded in para-7 of the order dated 18.03.2024.
4. List on 09.04.2024.

**SACHIN DATTA, J**

**APRIL 1, 2024/cl**