

Court No. - 9

Case :- WRIT - C No. - 24959 of 2020

Petitioner :- Smt. Bhawana Chaudhary And Anr.

Respondent :- Commissioner, Meerut Divisional And 3 Ors.

Counsel for Petitioner :- Rishu Mishra, Pankaj Dubey

Counsel for Respondent :- C.S.C., Kuldeep Singh Chauhan

Hon'ble Anjani Kumar Mishra, J.

Hon'ble Prakash Padia, J.

Heard learned counsel for the petitioner and Sri K.S. Chauhan, learned counsel for Meerut Development Authority.

It appears that in proceedings under the Urban Planning and Development Act, an order was passed for demolition of unauthorized construction raised by the petitioner. Against the order, the petitioner has filed an appeal before the Commissioner which has been admitted but no orders are stated to have been passed on the application for interim relief. The petitioner has filed this petition because it is alleged that respondents have put a mark to delineate the constructions which are liable to be demolished. This petition has been filed that no demolition be carried out during the pendency of the appeal filed by the petitioner which has already been admitted. Along with petition, the petitioner has annexed as Annexure No.9 to this writ petition, an order passed by a concurrent bench in Writ C No.16357 of 2020 connected with Writ C No. 16298 of 2020. In the judgement, a general mandamus has been issued where it has been provided that interim applications should be dealt with and that during the pendency of such interim application, the authorities should not take steps for executing demolition orders.

In our considered opinion, general mandamus issued by the order dated 15.10.20 is more adequate protection for the petitioner and that no further direction needs to be issued by

this Court afresh, it is so because there is no provision for issuing repeated mandamus.

Subject to the above, this petition stands disposed of.

Order Date :- 21.12.2020

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