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

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Judgment delivered on: 31.01.2022

+ W.P.(C) 1849/2022 & CM APPL. 5311/2022

JITENDER SAINI

..... Petitioner

versus

NORTH DELHI MUNICIPAL CORPORATION & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Sheetesh Khanna, Advocate.

For the Respondent: Mr. Ajjay Aroraa, Standing Counsel, North DMC with Mr. Kapil Dutta, Advocate.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The hearing was conducted through video conferencing.
2. Petitioner seeks a direction to the respondent Corporation to take action against the alleged illegal unauthorized construction being carried out in property No.L-2/98, Shastri Nagar, Delhi.
3. Petitioner claims to be a resident of M-43, Second floor, Shastri Nagar, Delhi. Petitioner has failed to show any connection with the subject property. Petitioner is neither a neighbor nor has any interest in the subject property.



4. Since petitioner has failed to show any *locus standi* or any violation of his fundamental or legal rights a petition under article 226 of the Constitution of India on behalf of the petitioner is not maintainable.

5. However, learned counsel appearing for the Corporation submits that property is being raised pursuant to a sanctioned building plan, however, there are some deviations noticed because of which action has already been initiated by the Corporation. He further submits that in so far as misuse is concerned, application has been received for conversion of the use of the property and requisite charges have already been deposited.

6. Petition is dismissed as not maintainable. This is, however, without prejudice to the right of the Corporation to take appropriate action in accordance with law.

7. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.

SANJEEV SACHDEVA, J.

JANUARY 31, 2022

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