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

% Judgment delivered on: 31.01.2022

+ W.P.(C) 1870/2022 & CM APPL. 5360/2022

DAYANAND MATHUR AND ANR. Petitioners

versus

GOVT OF NCT OF DELHI AND ORS. Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Sumit Sarna, Advocate.

For the Respondent: Mr. Rizwan, Ms. Lakshita Bakshi and Ms. Ankita Gaba, Advocates for R-1.

Mr. Anand Prakash Standing Counsel, North DMC with Ms Varsha Arya & Mr Akhil Raj, Advocates for North DMC/R-2.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. The hearing was conducted through video conferencing.
2. Petitioner impugns restraintment order 03.01.2022 passed by the Sub-Divisional Magistrate whereby it has been ordered that construction being raised by the petitioner be stopped immediately and no further construction be undertaken in future on the spot until permission is granted by the concerned authorities as per law.
3. Learned counsel for petitioner submits that land of the petitioner



is situated in *Lal Dora* area for which no permission is required for raising construction upto 2½ storeys.

4. He submits that petitioner shall be making a detailed representation to the North Delhi Municipal Corporation and the concerned SDM that no sanction is required for raising construction in a *Lal Dora* area and that his property falls in a *Lal Dora* area.

5. In view of the above, the petition is disposed of giving liberty to the petitioner to make a detailed representation to the North Delhi Municipal Corporation as also to the concerned SDM, Kanjhawala.

6. On such a representation being made, respondent Corporation is directed to dispose of the same expeditiously preferably within a period of four weeks from the date of receipt of representation.

7. Petitioner shall also be granted an opportunity of personal hearing.

8. Petition is disposed of in the above terms.

9. 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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