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

+ W.P.(C) 3459/2020, CM APPL. 12269/2020 & CM APPL. 12270/2020

CHAUDHARY VENTURES PVT. LTD. .... Petitioner

versus

SOUTH DELHI MUNICIPAL CORPORATION .....Respondent

+ W.P.(C) 3463/2020, CM APPL. 12281/2020 & CM APPL. 12282/2020

CHAUDHARY VENTURES PVT. LTD. .... Petitioner

versus

SOUTH DELHI MUNICIPAL CORPORATION .....Respondent

Through: Mr. Gaurav Mitra and Mr. Nagarkatti Kartik  
Uday, Advocates for petitioner.

Mr. Ajjay Aroraa, Standing Counsel for  
SDMC.

**CORAM:**

**HON'BLE MR. JUSTICE NAJMI WAZIRI**

**ORDER**

**%**

**11.06.2020**

1. The hearing was conducted through video conferencing.
2. The petitioner's properties bearing No. 12 (MCD No. 1426-A/1), Wazir Nagar, Kotla Mubarakpur, New Delhi-110003 and bearing No. 11 (MCD No. 1426-A), Wazir Nagar, Kotla Mubarakpur, New Delhi-110003 have been sealed by the respondent/Corporation for unauthorized construction under section 345-A of the Delhi Municipal Corporation Act, 1957. The petitioner was earlier granted due opportunity to rectify the same. It is the petitioner's case that some

rectification has been carried out. However, according to the respondent/Corporation, the same is not in accordance with the sanctioned plan. So as to put the controversy to rest the learned counsel for the petitioner seeks a second chance to carry out the requisite rectifications, subject to terms as the court may fix.

3. In view of the above, the petitioner is granted another opportunity to rectify the illegal/unauthorised construction. The respondent shall specify the areas which have to be rectified by clearly demarcating the same in the sanction plan alongwith description of the unauthorized construction so as to obviate any ambiguity apropos the portions which require rectification. Upon receipt of the said document and notice, the petitioner shall carry out the required rectification of the same within four weeks thereof and duly intimate the Corporation about the same, failing which it will be open to the respondent/Corporation to take appropriate action as per law.
4. The properties shall be de-sealed by the respondent/Corporation for only a period of four weeks for due compliance i.e., to carry out the due rectifications. The petitioner shall not part with the possession of any part of the properties during the period of de-sealing. It will be open to the petitioner to pursue its remedies, as permissible under law, should it require to do so
5. In view of the global pandemic, resulting in the countrywide lockdown, there is constant apprehension of contracting the disease from anyone. It is the need of the hour that those engaged in the frontlines of dealing with the pandemic and the resultant casualties are provided protective gear. The petitioner shall supply 250 Personal Protective Equipment (PPE kits)

to the following government hospitals, where testing and/or treatment facilities for COVID-19 is being carried out, so as to provide some protection the medical staff/healthcare workers engaged in combating the pandemic. Also, some PPEs have to be provided to those dealing with the last rites of pandemic related casualties. The costs of each kit is stated to be about Rs.1,000/-. The petitioner shall ensure that the kits are ICMR approved.

| <i>S. No.</i> | <i>Name of Hospital</i>                                                                           | <i>No. of PPE kits</i> |
|---------------|---------------------------------------------------------------------------------------------------|------------------------|
| 1.            | All India Institute of Medical Sciences, Sri Aurobindo Marg, Ansari Nagar East, New Delhi.        | 100 kits               |
| 2.            | State TB Training and Demonstration Centre, Jawaharlal Nehru Marg, Delhi Gate.                    | 25 kits                |
| 3.            | Department of Microbiology, National Institute of TB and Respiratory Diseases (NITRD), New Delhi. | 25 kits                |
| 4.            | Lok Nayak Jai Prakash Narayan Hospital, Jawaharlal Nehru Marg, Delhi Gate.                        | 50 kits                |
| 5.            | a) Lodi Road Crematorium and the adjacent b) Panj Peeran graveyard (under Delhi Wakf Board)       | 25 kits each           |

6. The petitions, alongwith pending applications, stand disposed-off in terms of the above.
7. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

**NAJMI WAZIRI, J**

**JUNE 11, 2020/RW**