



THE COURT OF SMT. ANJU MANGLA: SUB-DIVISIONAL MAGISTRATE (RAJOURI GARDEN)
GOVERNMENT OF NCT OF DELHI

ROOM NO. 10: OLD MIDDLE SCHOOL BUILDING: RAMPURA: DELHI - 110035

Case No. 345

Under Section: 133 Cr.P.C.

State

Versus

Owner/Occupier

H.No. D-78, Ground Floor, Fateh Nagar, New Delhi

..... Respondents

ORDER

Whereas a Kalandra u/s 133 Cr.PC has been received vide dy. No. RG/13131 dated 08/11/2011 from SHO Hari Nagar vide their letter No. 4403/SHO/HN dated 03/11/2011 that an unauthorized construction D-78, Ground Floor, Fateh Nagar, New Delhi is being carried out by you without obtaining any sanction/permission for the said activity from the Competent Authority.

In pursuance of Preliminary Order dated 08/12/2011, Sh. Jasvinder Singh on behalf of Smt. Ladi, owner of B-78, Fateh Nagar, appeared and informed that there are two houses with this address i.e. D-78 & the construction is carried in the another house whereas as per the report of P.S. Hari Nagar this preliminary order has been received by Sh. Jasvinder Singh who is son of the owner of the said premises and further reported that construction work at the said premises has already been finished.

Despite the above report another notice dated 04/02/2012 was issued to the respondents for the said premises to appear on 14/02/2012 to ascertain the fact as mentioned in the above para but the house found locked thereafter.

Under the provision of Section 133 Cr.P.C. (1)(d)- any building tent or structure, or any tree is in such a condition that it is likely to fall and thereby cause injury to persons living or carrying on business in the neighborhood or passing by, and in consequence the removal, repair or support of such building, tent or structure, or the removal or support of such tree is necessary.

As per above discussion, I am satisfied that the order issued on 08/12/2011 U/S 133 Cr.P.C. (ii) requiring respondent or owner/management to completely demolish the unauthorized structure at H.No. D-78, Ground Floor, Fateh Nagar, New Delhi is proper and reasonable. This order is made absolute on the above mentioned ground.

Executive Engineer (Building) shall issue necessary direction to concerned AE and JE (Building) to book the property and take appropriate action (demolish/sealing of property) under the provision of Municipal Act and submit a report.

Given under my hand and seal on this 14th February, 2012.

File be consigned to record room.

Owner/Occupier

D-78, Ground Floor, Fateh Nagar, New Delhi



(ANJU MANGLA)
Sub-Div. Magistrate (Rajouri Garden)
Convener/Chairperson of STF

Copy for necessary action and compliance to:-

1. Dy. Commissioner (West), MCD, Rajouri Garden, New Delhi,
2. ACP (Rajouri Garden/Tilak Nagar).
3. Sh. V.S Yadav, AC (West), MCD Vishal Enclave, Rajouri Garden, ND.
4. SHO (Hari Nagar)
5. Asstt. Programmer Officer, Distt. West with the direction to upload the same on the website of DC(West), Govt. of NCT of Delhi.

(ANJU MANGLA)
Sub-Div. Magistrate (Rajouri Garden)