



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. 411

Under Section: 133 Cr.P.C.

State

Versus

Owner

WZ-368, Gali No.20, II Floor, Shiv Nagar, Delhi

.....Respondent

ORDER

Whereas a Kalandara u/s 133 CrPC has been received vide dy. No. RG/834 dated 27/01/2012 from SHO Hari Nagar vide DD No. 56B dated 28/12/2011 that an unauthorized construction at WZ-368, Gali No.20, II Floor, Shiv Nagar, Delhi is being carried out by you without obtaining any sanction/permission for the said activity from the Competent Authority.

And whereas a Conditional Order dated 06/02/2012 was issued by this court directing to appear before on 21/02/2012, but none appeared nor any written submission filed on behalf of respondent, another notice was issued to appear on 06/03/2012 and in response, Sh. Jagannath Chhabra appeared and filed photographs which shows construction of fourth floor without the approval of MCD.

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 conditional order issued on 06/02/2012 U/S 133 Cr.P.C. (ii) requiring respondent or owner/management to completely demolish the unauthorized structure Fourth floor at WZ-368, Gali No.20, II Floor, Shiv Nagar, 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 Day of March, 2012.

File be consigned to record room.


Owner/Occupier

WZ-368, Gali No.20, II Floor, Shiv Nagar, 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)
Convener/Chairperson of STF