



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. 354

Under Section: 133 Cr.P.C.

State

..... Complainant

Versus

Owner/Occupier

B-7, Janta Colony, Shivaji Vihar, New Delhi

..... Respondents

**ORDER**

Whereas a Kalandra u/s 133 Cr. PC has been received vide dy. No. RG/13401 dated 17/11/2011 from SHO Khyala vide their DD No. 20B dated 12/11/2011 that an unauthorized construction at B-7, Janta Colony, Shivaji Vihar, New Delhi is being carried out by you without obtaining any sanction/permission for the said activity from the Competent Authority.

And whereas a Preliminary Order dated 08/12/2011 was issued by this court directing to appear before on 23/12/2011, Smt. Narender Kaur appeared but did not file any written submission and case was adjourned for 05/01/2011, none appeared on 05/01/2011 and on 14/02/2012 and therefore another notice was issued to appear on 14/02/2012, but none appeared on this date also.

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 B-7, Janta Colony, Shivaji Vihar, 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 14<sup>th</sup> February, 2012.

File be consigned to record room.


Owner/Occupier

B-7, Janta Colony, Shivaji Vihar, 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 (Khyala)
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