

(2024) 11 UK CK 0103

Uttarakhand High Court

Case No: Writ Petition (M/S) No. 2965 Of 2024

Vijay Arora And
Another

APPELLANT

Vs

State Of Uttarakhand
And Others

RESPONDENT

Date of Decision: Nov. 11, 2024

Hon'ble Judges: Pankaj Purohit, J

Bench: Single Bench

Advocate: I.P. Gairola, Anil Dabral, Devesh Ghidyal, Rahul Consul

Final Decision: Disposed Of

Judgement

Pankaj Purohit, J

1. Heard learned counsel for the parties.

2. The petitioners have moved this writ petition for a direction to the respondent no. 2-MDDA to ensure the demolition of the illegal construction

raised by respondent no. 5, particularly, in the adjacent area of the house of the petitioners in light of the affidavit submitted by respondent no. 5.

3. It is the case of the petitioners that respondent no. 5 was given permission for construction of a residential house by the respondent no. 2-MDDA.

A complaint was made by petitioners against respondent no. 5 before the MDDA i.e. respondent no. 2 that the respondent no. 5 is raising the

construction beyond the sanctioned map and the same may be demolished.

4. It is submitted by learned counsel for the respondent no. 2-MDDA that the respondent no. 5 has already submitted an affidavit before the

respondent no. 2 in which he has stated on oath that he would demolish the non-compoundable portion of the construction raised by him beyond the sanctioned map. In the affidavit, it is also stated that for certain part of construction raised by respondent no.5 beyond map, compounding has been permitted by respondent no. 2 on the application moved by respondent no. 5.

5. It is submitted by the learned counsel for the respondent no. 2-MDDA that it has already initiated proceedings for demolition of non-compoundable portion raised by the respondent no. 5 which would definitely be brought to a logical end within eight weeks.

6. In view of aforesaid submission made by learned counsel for respondent no.2, nothing further remains to be decided in this writ petition and the same is, accordingly, closed.