

A.No. 238/2024

30.09.2024

Present : Sh. Dalip Rastogi, Ld. Counsel for the appellant.  
Sh. Ashutosh Gupta, Ld. Counsel for the respondent

Vide separate judgment of even date, Appeal no. 238/2024 is hereby dismissed. The interim protection granted vide order dated 10.04.2024 in both the appeals is vacated and application of respondent seeking vacation of stay stands disposed. The respondent is directed to comply the following directions upon expiry of statutory period for filing appeal against this judgment:

- a) Respondent/MCD to take steps to ensure the unauthorized construction in question be completely demolished and brought down to ground within a period of two weeks from the date of expiry of statutory period for filing appeal against this judgment.
- b) The DCP concerned is directed to provide necessary police protection to the MCD officers/officials for discharging their duties.
- c) The demolition drive be photographed and video graphed and compliance report be placed before this Tribunal.
- d) Criminal action for the offences committed be initiated against all wrong doers including common directors of M/s Heavenly and M/s Harvest for raising

unauthorised construction and other violations as per DMC Act, 1957.

Copy of this judgment be sent to the Deputy Commissioner, South Zone through the office of the Commissioner, MCD for necessary compliance.

Copy of this judgment be sent to the concerned DCP, Delhi Police through the office of the Commissioner of Police, Delhi for necessary compliance.

(ABHILASH MALHOTRA)  
P.O.: Appellate Tribunal, MCD  
30.09.2024