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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010218622026

+ **W.P.(C) 6708/2026**

SMT. REKHA TYAGI

.....Petitioner

Through:

versus

MCD AND ORS

.....Respondents

Through: Ms. Shilpa Ohri, ASC for Ms. Shweta Singh, Advocate for R-1.
Mr. Anish Tandon, Ms. Akanksha Mishra & Ms. Vanshita Singh, Advocates for R-4.
SI Narender Kumar, P.S.: Maidan Garhi.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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18.08.2026

1. The present writ petition has been filed seeking the following reliefs:-

- I. Issue a writ of mandamus or appropriate writ directing the Respondents no.1 to 4, to demolish the illegal and unauthorized construction at Farmhouse No. 22, Satbari Chhatarpur New Delhi 110074.
- II. Direct the Respondents to seal the said premises.
- III. Direct removal of illegal balconies/windows facing the petitioner's property forthwith.
- IV. Direct the Respondents to take strict legal and penal action against Respondent No. 5.
- V. Provide police protection to the petitioner.

2. Besides the fact that an unauthorized construction has been raised without any sanctioned plan, the grievance of the petitioner is that the balconies/windows in the said construction are facing the petitioner's

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property.

3. Status report has been filed on behalf of respondent/ MCD on 15th August, 2026, wherein it is stated that after following due process of law, demolition orders have been passed on 12th June, 2025, 9th October, 2025 and 27th April, 2026, in respect of separate floors of the property.

4. As per the status report, proceeding has already been initiated against the owner/ builder under Section 466-A of the Delhi Municipal Corporation Act, 1957 ('DMC Act') and a complaint dated 9th December, 2025 has been sent to Deputy Commissioner of Police, South District, Hauz Khas, New Delhi.

4.1 Sealing orders under Section 345-A of the DMC Act have also been passed on 27th May, 2026, 29th June, 2026 and 14th July, 2026.

4.2 Demolition action has been taken against the subject property on 30th July, 2025, 18th September, 2025 and 26th May, 2026.

4.3 Communications have also been sent to SHO, P.S.: Maidangarhi to ensure that demolished portion is not reconstructed.

4.4 The subject building has also been disclosed as '*dangerous*' under Section 348 of the DMC Act and the owner/ occupier have been directed to vacate the subject premises.

4.5 The order under Section 348 of the DMC Act was passed on 13th August, 2026 and a vacation notice under Section 349 of the DMC Act has been issued on 13th August, 2026.

5. Considering the aforesaid submissions, the present writ petition is disposed of while directing respondents to take further action in accordance with law.

6. All rights, contentions and legal remedies of the private respondent



are kept open.

AMIT BANSAL, J

AUGUST 18, 2026/at