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

CNR No. DLHC010259432026

+ **W.P.(C) 8119/2026 with CM APPL. 38690/2026**

ROHIT KRISHAN SHARMA

.....Petitioner

Through: **Ms. Neha Kapoor and Mr. Kaushal Mehta, Advocates.**

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: **Mr. Harshit Chopra, Mr. Kushal Chand Aggarwal and Ms. Nidhi Mutreja, Advocates for MCD.**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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21.08.2026

1. The present writ petition has been filed seeking setting aside of the vacation notice dated 3rd June, 2026 issued by the MCD under Section 349 of the Delhi Municipal Corporation Act, 1957 ('DMC Act') and pasted at the property of the petitioner being *P. No. 630, Plot no. 2, Khasra no. 262, Gali no. 4, Village Saidulajab, New Delhi* ('subject property').
2. It is contended on behalf of the petitioner that the petitioner is a bonafide purchaser of 2BHK Flat bearing private portion no.205 on the first floor in the subject property. It is contended that the petitioner has not been served with any show cause notice or demolition order or sealing order, on the basis of which the vacation notice has been issued.
3. A Status report has been handed over on behalf of respondent/MCD,



wherein a copy of the demolition order as well as the sealing order has been annexed. The demolition order was passed on 9th July, 2018 and the sealing order was also issued on 2nd July, 2018.

3.1. The same is taken on record.

4. Counsel for the petitioner submits that the petitioner has been in possession of the aforesaid property since 2016. However, the aforesaid vacation notice/demolition order/sealing order was not served on the petitioner.

5. There is nothing in the status report to indicate that the show cause notice or the demolition order or the sealing order have been served on the petitioner.

6. Mr. Harshit Chopra, counsel appearing on behalf of the respondent/MCD has handed over the demolition order, sealing order as well as the show cause notice preceding the demolition order to the counsel for the petitioner.

7. In view of the above, liberty is granted to the petitioner to challenge the demolition order and/or, the sealing order before the ATMCD within a period of ten (10) days from today.

8. Considering that the aforesaid documents have been supplied to the counsel for the petitioner in Court today, the limitation will not come in the way of the petitioner approaching the ATMCD.

9. No coercive steps shall be taken against the property of the petitioner for a period of two (2) weeks from today.

10. The writ petition stands disposed of in the aforesaid terms.

11. It is made clear that no observation has been made on the merits of the case.



12. Pending application also stands disposed of.

AMIT BANSAL, J

AUGUST 21, 2026

Vivek/-