



\$~18

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

+ **W.P.(C) 8685/2026 with CM APPL. 40663/2026**

ANIL KANODIA & ANR.

.....Petitioners

Through: Mr. Pankaj Mehta, Ms. Pooja Kashyap, Mr. Apaar Puri and Mr. Suman Kumar, Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Mr. Arjun Mahajan, SC with Mr. Apoorv Upamanyu, Mr. Ravikant Kumar and Mr. Vishal Sejwar, Advocates for R-1/MCD.
Mr. Dilip Rustogi and Mr. Ankit Monga, Advocates for R-2 to 4.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

06.07.2026

%

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

- a) Issue a writ of Mandamus directing Respondent Nos. 1 to 4 to immediately stop all illegal and unauthorized construction activities on the third-floor terrace of Property bearing No. E-23A, East of Kailash, New Delhi.
- b) Direct Respondent no. 1/ Municipal Corporation to immediately seal the ongoing construction site and ensure complete stoppage of all unauthorized construction activities at the aforesaid property during the pendency of the present proceedings.



- c) Direct Respondent No. 1 to execute and implement demolition, and enforcement orders with respect to the third floor illegally and unauthorizedly constructed on the property bearing no. E-23/A, East of Kailash, New Delhi-110065.
- d) Direct Respondent No. 5 to provide continuous police assistance for enforcement of municipal orders.
- e) Direct constitution of a joint inspection team to inspect the property and submit a report before this Hon'ble Court.
- f) Direct initiation of departmental action against officers responsible for failure to enforce municipal laws despite complaints and orders on record.

2. The grievance raised in the present writ petition is with respect to the construction being carried out on the terrace of the third floor of the subject property, *i.e.* property bearing no. E-23/A, East of Kailash, New Delhi - 110065.

3. Counsel appearing on behalf of the petitioner and private respondents no.2 to 4 submit that appeals *qua* different floors of the subject property have been filed and are pending before the Appellate Tribunal MCD ('ATMCD').

4. In view of the above, the present writ petition is disposed of while giving liberty to the petitioner to approach the ATMCD in respect of the grievances raised in the present petition.

5. The respondent-MCD shall ensure that no unauthorized construction is carried out by the parties in the subject property till the matter is decided by the ATMCD.



6. The pending application stands disposed of.

JULY 6, 2026/Rzu

AMIT BANSAL, J