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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010385292026
+ LPA 650/2026, CM APPL. 55484/2026, CM APPL. 55485/2026 &
CM APPL. 55486/2026
GULVINDER KHATRI Appellant

Through: In person
versus

SUBHASH CHANDER & ANR. Respondents
Through: Mr. Umesh K. Burnwal, SC with Mr.
Abhishek Kumar, Adv. for R-2

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

% **19.08.2026**

1. Heard learned counsel representing the parties.
2. The appellant has filed the instant intra-court appeal with the prayer to set aside the impugned order dated 08.07.2026 passed by the learned Single Judge, whereby the W.P.(C)8719/2024 has been disposed of with certain directions. The said writ petition was filed by the respondent no.1.
3. The appellant has also prayed that W.P.(C)8719/2024 be restored and accordingly, the application under Section 379 of Bharatiya Nagarik Suraksha Sanhita (BNSS) moved by the appellant in the said proceedings of the writ petition be ordered to be taken to some logical end.
4. The appellant was not a party-respondent in the said writ petition. He had only moved an application under Section 379 of the BNSS, with the allegation that the petitioner in the proceedings of the writ petition had concealed certain facts and misrepresented the facts.
5. However, what all has been done by passing the impugned order dated 08.07.2026 by the learned Single Judge is that the order of demolition



dated 13.09.2023 has been noticed and the writ petition has been disposed of by granting liberty to the respondent no.1 to approach the Appellate Authority i.e. the Appellate Tribunal, MCD challenging the order of demolition dated 13.09.2023.

6. Once the learned Single Judge by passing the impugned order has not interfered with the demolition order dated 13.09.2023, which is said to have been passed in the complaint made by the appellant, we do not think that any fruitful purpose would be served to continue with the proceedings of the writ petition merely to adjudicate the application moved by the appellant under Section 379 of the BNSS. The order of demolition dated 13.09.2023 passed by the MCD against the respondent no.1 has not been interfered with and accordingly, we do not see any reason to entertain this appeal.

7. Since the respondent no.1 has been permitted to avail the remedy of the appeal before the Appellate Tribunal, MCD, we permit the appellant to seek his impleadment before the Appellate Tribunal, MCD. If any such application seeking impleadment is filed by the appellant before the Appellate Tribunal, MCD in the appeal, which is to be filed or might have been filed by the respondent no.1, the same shall be considered by the Appellate Tribunal, MCD and appropriate orders thereon shall also be passed.

8. Accordingly, the present appeal along with pending applications stands disposed of in the aforesaid terms.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

AUGUST 19, 2026/j