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

CNR No. DLHC010392472026

+ **W.P.(C) 12205/2026 with CM APPL. 56525/2026**

SENIOR CITIZEN NEELAM KOHLI Petitioner

Through: **Dr. Gaurav Manuja and Mr. Yogesh,**
Advocates (through VC)

versus

MUNICIPAL CORPORATION OF DELHI Respondent

Through: **Ms. Deepika Kumari, Advocate with**
Mr. Girish Prakash, AE Building.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **21.08.2026**

CM APPL. 56525/2026

1. Allowed, subject to all just exceptions.

W.P.(C) 12205/2026

2. The present writ petition has been filed seeking the following relief:

A) Issue Writ of Mandamus or Certiorari or any other writ or direction,
directing Respondent to conduct a fair, independent and time-bound
enquiry on the Representations dated 08.08.2026 made by the Petitioner
against the conduct of the concerned officials of the building
department and to take appropriate disciplinary action against the
officials found responsible for misuse of official position;

3. The petitioner had earlier approached this Court *vide* W.P.(C)
11209/2026 which was disposed of by this Court *vide* order dated 7th



August, 2026. The operative part of the order is set out below:

2. Counsel for the petitioner has drawn attention of the Court to the order passed by the Appellate Tribunal, MCD ('ATMCD') on 8th July, 2026, wherein interim protection has been granted in favour of the petitioner. The operative part of the said order is set out below:-

"Till next date of hearing, no coercive action be taken against the property of appellant bearing no. C-3/309, Janak Puri, Delhi (except of the construction at the fourth floor) in pursuance of the demolition order dated 19.06.2026. This interim order shall not come in the way of any order/directions passed by the Hon'ble High Court as well as Hon'ble Supreme Court of India. It is also made clear that no encroachment on the public land is protected. The appellant is directed not to raise any further construction in the property in question."

(emphasis supplied)

3. Counsel for the respondent/MCD on advance notice, on instruction from the concerned AE, Mr. Girish Prakash, who appears through video conferencing, submits that inadvertently the vacation notice has wrongly mentioned the '5th floor' of the subject property, whereas it should have been the '4th floor'. The show cause notice was also issued to the petitioner in respect of 4th floor of the subject property.

4. To be noted, while granting interim protection in favour of the petitioner, the ATMCD had not granted any protection *qua* the 4th floor of the subject property.

5. In view of the aforesaid error as admitted by the respondent/MCD, MCD will issue a fresh vacation notice to the petitioner. Till the issuance of the fresh vacation notice, no coercive steps shall be taken against the petitioner.

4. In terms of the said order, respondent/MCD has issued a vacation notice in respect of fourth floor of the subject property.

5. As noted above, in the appeal filed by the petitioner before Appellate Tribunal MCD ('ATMCD'), no interim protection has been given in respect of construction of the fourth floor. Therefore, there is no infirmity in the action taken by the respondent/MCD.



6. Accordingly, the present writ petition is dismissed.
7. The pending application stands disposed of.

AMIT BANSAL, J

AUGUST 21, 2026

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