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

CNR No. DLHC010403242026

+ **W.P.(C) 12510/2026 with CM APPL. 57981/2026 and CM APPL. 57982/2026**

VIJAY KUMAR MISHRA AND ORS.

.....Petitioners

Through: Mr. Gautam Narayan, Sr. Advocate
with Mr. Atul Kharbanda, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Ashutosh Gupta, Advocate
(through VC)

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **25.08.2026**

CM APPL. 57982/2026 (exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 12510/2026

2. The present writ petition has been listed as per urgent mentioning at 1:00 PM today.

3. The petitioner claims the following reliefs:

A. Issue an appropriate writ, order or direction directing the Respondents, their officers, officials, employees, agents and persons acting on their behalf not to take any coercive action, including demolition, sealing, dispossession or further demolition/sealing action for 14 days, against the respective portions of the Petitioners in property bearing No. 110, Gali No. 03, D – 1, Bharat Vihar, Kakrola, New Delhi, so as to enable the Petitioners to avail their statutory remedy before the Ld. Appellate Tribunal, MCD; and



B. Direct the Respondents to provide to the Petitioners/counsel any
Other Order passed under Section 343 (Demolition) and / or 345A
(Sealing) of the DMC Act; and

4. The present petition has been filed by 26 petitioners, who are owners/occupiers of 21 flats in property bearing no. 110, Gali No. 03, D-1, Bharat Vihar, Kakrola, New Delhi ('subject property').

5. A show cause notice in respect of the subject property was issued as far back as 19th July, 2018 which was followed by a demolition order dated 30th July, 2018.

6. Mr. Gautam Narayan, senior counsel appearing on behalf of the petitioners submits that the petitioners never received copies of either the show cause notice or the demolition order. Copies have been supplied only pursuant to a representation filed by petitioners on 21st August, 2026.

7. Mr. Narayan submits that two (2) weeks' time be granted to the petitioners to take appropriate remedies in law against the aforesaid orders.

8. Mr. Ashutosh Gupta, counsel appearing on behalf of respondent/MCD submits that the show cause notice as well as the demolition order was duly supplied at the relevant time to the owners/occupiers of the subject properties. He further submits that contempt proceedings have been initiated against MCD being CONT.CAS 393/2019, wherein an order has been passed on 13th August, 2026 directing MCD to carry out demolition within three (3) weeks.

9. Having heard the counsel for the parties, the petitioners have to be granted time to invoke their statutory remedy of appeal.

10. Accordingly, the present writ petition is disposed of while granting two (2) weeks' time to the petitioners to invoke the statutory remedy of



appeal. For a period of two (2) weeks, no coercive steps shall be taken against the properties of the petitioners.

11. It is made clear that no observation has been made with regard to merits of the case and the aforesaid order is passed only for the purposes of the petitioners to invoke their statutory remedy of appeal.

12. All rights, contentions and legal remedies of the parties, including the issue of limitation, is kept open.

AMIT BANSAL, J

AUGUST 25, 2026

Vivek/-