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

CNR No. DLHC010406052026

+ **W.P.(C) 12588/2026 with CM APPL. 58373/2026 and CM APPL. 58374/2026**

SHAHEEN & ANR.

.....Petitioners

Through: **Mr. Nizami, Advocate (through VC)**

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: **Mr. Rohit Kathuria, Mr. Dhruv Varma and Mr. Harshit Sharma, Advocates for R-1/MCD.
Mr. Arjun Mahajan, SC with Mr. Apoorv Upamanyu and Mr. Ravikant Kumar, Advocates for R-3/DDA.
Mr. Ashutosh Lohia, Mr. Varun Kumar and Ms. Shraddha Bhargava, Advocates for Objectors/Intervenors.**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

31.08.2026

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

- (a) issue a writ of mandamus, writ of prohibition and any other writ, order or directions thereby directing the respondents to perform its statutory duties and take appropriate legal action against the illegal and unauthorized demolition and construction being carried out at property bearing No.1504 to 1512, Gali Pahari Rajan, Jama Masjid, Delhi-110006 and taking appropriate actions as per law;



- (b) direct the respondent authorities to immediately stop the ongoing demolition and damage to the said property without permission or otherwise in violation of law to protect that the petitioners are not forcibly dispossessed without due process of law;
- (c) issue an appropriate writ, order or direction directing respondent No.4/SHO, Police Station Chandni Mahal, Delhi to provide adequate police protection to the Petitioners and their family members and to ensure their safety and security and ensure no demolition/construction activities is being carried out in subject property;
- (d) direct respondent No.4 to ensure that the petitioners are not forcibly dispossessed, evicted, threatened, intimidated or otherwise disturbed from their peaceful occupation of their portion of property bearing No.1506 except by due process of law and pursuant to an order of a competent Court;
- (e) during the pending disposal of the present petition, direct respondent No.4/SHO, Police Station Chandni Mahal, Delhi to ensure that the petitioners are not forcibly dispossessed from their occupied portion and are not subjected to threats, intimidation, trespass or any other unlawful interference and criminal trespass and further direct the removal of CCTV camera from the portion of petitioners' house;

2. Counsel for the private respondent, appearing on advance notice, submits that the petitioner is not the owner of the subject premises and has suppressed material facts in the present writ petition.

3. Counsel for the petitioner submits that after filing of the present writ petition, a demolition order has been passed by MCD.



4. Counsel for the petitioner seeks to withdraw the present writ petition with liberty to challenge the aforesaid demolition order before the Appellate Tribunal MCD ('ATMCD').
5. Accordingly, the present writ petition is dismissed as withdrawn with the aforesaid liberty.
6. No coercive steps shall be taken against the subject property for ten (10) days from today in order for the petitioner to avail the statutory remedy of appeal. It is made clear that no observations have been made on the merits of the case.
7. Pending applications stand disposed of.

AMIT BANSAL, J

AUGUST 31, 2026

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