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

CNR No. DLHC011092032025

+ **W.P.(C) 1046/2026 & CM APPL. 5061/2026, CM APPL. 42513/2026, CM APPL. 47137/2026**

JAI KISHAN

.....Petitioner

Through: Ms. Sana Ansari, Advocate (Through
video-conferencing)
Mr. I. Ahmed and Ms. Hardeep Kaur,
Advocates.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondents

Through: Mr. Siddharth Gupta, Standing
Counsel for R-1/MCD.
Mr. Pramod Kumar, Panel Counsel
for R-2 (Through *video-conferencing*)
Mr. Awadhesh Kumar Singh, SPC for
R-3. (Through *video-conferencing*)
Mr. SI Sandeep Yadav, PS-Sadar
Bazar, Delhi.
Mr. Shiv Charan Garg with Mr.
Imaran Khan and Ms. Jahanvi Garg,
Advocates for R-4 to 8.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

07.09.2026

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1. The present writ petition has been filed seeking a direction to respondents no. 1, 2 and 3 to take action against illegal and unauthorised construction carried out at property bearing no. 530-535, *Darvesh Building, Gali Bajajan, Sadar Bazar Delhi – 110006* ('subject property').



2. Status report has been filed on behalf of respondent-MCD wherein it is stated that after following due process of law, a demolition order has been passed on 17th April, 2026 against the unauthorized construction in the subject property.
3. Mr. Garg, counsel appearing on behalf of the private respondents submits that the private respondents have filed an appeal against the aforesaid demolition order before the Appellate Tribunal MCD ('ATMCD') and *vide* order dated 5th May, 2026, interim protection has been granted in their favour, which is still continuing. He further submits that the petitioner has filed an application under Order I Rule 10 before the ATMCD.
4. Counsel appearing on behalf of the petitioner disputes the contents of the status report. He submits that there is an unauthorized basement constructed at the subject property.
5. Counsel for respondent-MCD submits that they have inspected the subject property and did not find any basement at the subject property.
6. Taking note of the aforesaid submissions, the present writ petition is disposed of while directing respondent-MCD to take appropriate action in accordance with law based on the outcome of the appeal filed before the ATMCD by the private respondents.
7. The pending applications stand disposed of.

AMIT BANSAL, J

SEPTEMBER 7, 2026

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