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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2722/2024 and CM APPL. Nos/ 26148/2025 and 26149/2025

TEHSEEM

.....Petitioner

Through: Ms. Aleena, Advocate.
versus

MUNICIPAL CORPORATION OF DELHI AND ORS ..Respondents

Through: Mr.Kapil Dutta and Mr.Vansh Luthra,
Advocates for MCD.
Mr.Saifuddin Shams, Advocate for R-
5 and 6

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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06.05.2025

CM APPL. No. 26149/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CM APPL. No.26148/2025

3. The present application has been filed on behalf of the petitioner seeking revival of the order dated 24th September, 2024, passed in the present writ petition. As per the petitioner, the present petition had been filed for directions to respondent nos. 1 to 4 to take action against the illegal and unauthorized construction in property bearing No. *Ameen Farm (part)*, *2nd Avenue Road, Chandan Holla, New Delhi Khasra No. 144(1-2), 45(1-3), 47(0-15) and 49(0-8)*.
4. This Court *vide* order dated 24th September, 2024, had disposed of the matter on the basis of the undertaking and the affidavits filed on behalf of the respondents that the demolition and sealing action shall be taken against the unauthorized construction in question. However, it is submitted that no



action has been taken, thus, the present application has been filed.

5. *Per contra*, learned counsel appearing for the Municipal Corporation of Delhi (“MCD”), submits that, with respect to the property in question, a statutory appeal before the Appellate Tribunal, MCD (“ATMCD”), has been filed, which is pending. He further submits that since there was no stay granted by the learned ATMCD, sealing action was taken by the MCD on 25th October, 2024, and that the property in question is lying sealed since then. He further submits that the demolition action is also fixed in the property for 14th May, 2025.

6. Attention of this Court has also been drawn to the order dated 23rd February, 2024, wherein, the submissions of the owner/occupier of the property in question, has been recorded stating that the petitioner is a habitual complainant. Further, no formal notice was also issued in the present matter.

7. Considering the submissions made before this Court, this Court is satisfied that the MCD has already initiated action against the property in question. This Court takes note of the submission made by the learned counsel for the MCD that the property in question, is lying sealed, since 25th October, 2024. Accordingly, it is directed that the MCD shall take the requisite action against the unauthorized construction in accordance with law, subject to any orders that may be passed by the learned ATMCD.

8. With the aforesaid directions, the present application is disposed of.

MINI PUSHKARNA, J

MAY 6, 2025/SV