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

+ W.P.(C) 8692/2024 & CM APPL. 35513/2024, CM APPL.
35514/2024
ABDUL REHMAN Petitioner

Through: Mr. Mutiur Rehman and Ms.
Shaheen, Advs.
M: 9711374804
Email: advmutiur@gmail.com

Versus

MUNICIPAL CORPORATION OF DELHI & ORS. Respondents

Through: Ms. Vasu Singh, ASC for MCD for
R-1.
M: 9312236133
Email: vasusingh0306@gmail.com
Mr. Arun Panwar, Adv. for R-2.
M: 7827545811
Email:
advocatearunpanwar@gmail.com
Mr. B. Khan, Adv. (Through VC),
for R-3 & 4.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
24.06.2024

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CM APPL. 35514/2024 (For Exemption)

1. Exemption allowed, subject to just exceptions.
2. Application is disposed of.

W.P.(C) 8692/2024 & CM APPL. 35513/2024

3. The present petition has been filed for direction to the respondent no.1-Municipal Corporation of Delhi ("MCD") to take immediate and



necessary steps to demolish the unauthorized/illegal construction carried out by the private respondent nos. 3 and 4 at properties bearing *House Nos. 980-984, Tiraha Behram Khan, Darya Ganj, Delhi-110002*.

4. It is submitted that illegal and unauthorized construction is being raised by respondent nos. 3 and 4, without proper building site plan and without obtaining any other statutory clearance. Further, it is submitted that the respondent nos. 3 and 4 are constructing shops on ground floor, and extra floors on the said properties.

5. Issue notice. Notice is accepted by learned counsels appearing for the respondents.

6. Ms. Vasu Singh, learned counsel appearing for respondent no.1 has handed over a copy of Status Report, which is taken on record. As per the Status Report, unauthorized construction in the property in question has already been booked on 14th June, 2024 in the shape of entire Ground Floor, First Floor, and raising of walls and columns at Second Floor. Further, a Work Stop Notice dated 20th June, 2024 has also been issued to the Station House Officer (“SHO”), Police Station, Chandni Mahal, to ensure that no further unauthorized construction is carried out in the property in question.

7. Considering the aforesaid, it transpires that the MCD has already taken cognizance of the unauthorized construction taking place in the property in question. Accordingly, it is directed that the MCD shall take action against any unauthorized construction, which is existing or being carried out in the property in question, in accordance with law.

8. Needless to state, respondent nos. 3 and 4, who are the private builders, have the liberty to seek their remedies in accordance with law, in case they are aggrieved by any action taken by the MCD.



9. With the aforesaid directions, the present petition is disposed of.

**MINI PUSHKARNA
(VACATION JUDGE)**

JUNE 24, 2024/kr