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

+ W.P.(C) 10572/2024
AMAN SINGH

.....Petitioner

Through: Mr. Vivek K. Tandon, Mr. S.S.
Dalal, Mr. Harshit S. Gahlot, Mr.
Mayank Tiwari, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI
AND ORS.

.....Respondents

Through: Ms. Umang Tyagi, Ms. Aditi
Kapoor, Ms. Aishwarya Kapoor,
Advocates for R-1.
Mr. Vipul Goel, Advocate for R-3.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

% **ORDER**
08.10.2024

1. The petitioner has approached this Court under Article 226 of the Constitution complaining of alleged illegal construction *F-48, Katwaria Sarai, New Delhi*. According to the petitioner, the illegal construction has been carried out at the instance of respondent No. 3 herein.
2. The Municipal Corporation of Delhi ["MCD"] has filed a status report dated 05.10.2024 in which it is stated that a show cause notice has been issued in respect of the subject property on 27.09.2024, upon a finding that unauthorised construction exists on the ground floor, first floor, second floor, third floor, fourth floor and part of the fifth floor of



the subject property. The property has been mentioned as “*old and residentially occupied*”.

3. It is stated in the status report that a reply has been received to the show cause notice and that the MCD will take further action in accordance with law after considering the reply to the show cause notice.

4. Mr. Vipul Goel, learned counsel for respondent No. 3, states that the show cause notice has not been received by her and that she has not filed a reply.

5. Without prejudice to the contents of the status report, learned counsel for MCD is directed to forward a copy of the show cause notice to learned counsel for respondent No. 3 in the course of the day. Respondent No. 3 may also furnish a reply to the show cause notice within three days from today.

6. MCD will take such further action as available to it in law after considering the reply to the show cause notice.

7. Learned counsel for MCD states that action will be taken expeditiously and will be commenced not later than eight weeks from today, subject to availability of police force.

8. In view of the above submissions on behalf of the MCD, learned counsel for the petitioner does not seek any further orders in this writ petition, which stands disposed of.

9. The aforesaid submissions have been recorded without prejudice to the rights and contentions of respondent No. 3 or any other owner/occupier of the subject property. The rights and remedies such owner/occupier of the subject property are expressly reserved.

10. MCD is directed to act strictly in accordance with law and after



compliance of all statutory formalities.

11. The petition stands disposed of in terms of the above.

PRATEEK JALAN, J

OCTOBER 8, 2024

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