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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ W.P.(C) 13937/2024, CM APPL. 58310/2024 & CM APPL.  
58311/2024

SUSHIL KUMAR GOEL & ANR. ....Petitioners

Through: Mr. Sachin Mittal, Ms. Bhawna  
Nanda and Ms. Vishu Mittal,  
Advocates.

versus

MUNICIPAL CORPORATION OF DELHI  
& ORS.

.....Respondents

Through: Mr. Umang Tyagi, Ms. Aditi  
Kapoor and Ms. Aishwarya,  
Advocates for MCD.  
Mr. Abhishek Khanna, SPC with  
Mr. Parvesh Khanna and Mr.  
Ashish Khanna, Advocates for R-  
2.

**CORAM:**

**HON'BLE MR. JUSTICE PRATEEK JALAN**

**ORDER**

% **04.10.2024**

1. The petitioner has filed this petition for a direction upon the Municipal Corporation of Delhi ["MCD"] to issue a stop work notice in respect of alleged unauthorised construction above the first floor of property No. C/C-3, A/365, Ground Floor, Janakpuri, West Delhi, Delhi-110058. ["subject property"].
2. According to the petitioners, the alleged unauthorised construction is being carried out by respondent No.3, who is the brother of petitioner No.1.
3. Mr. Umang Tyagi, learned counsel for Municipal Corporation of Delhi ["MCD"] who appears on advance notice, states that the property has been inspected and that no construction has been found to be

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ongoing. Only some minor repair work is being carried on. He states that MCD will continue to keep vigil over the property in the regular course, to ensure that no unauthorised construction takes place. He states that if there is any deviation from the sanctioned building plan, necessary action will be taken in accordance with law.

4. The petitioners have not approached the Special Task Force [“STF”], constituted by the Supreme Court *vide* orders dated 24.04.2018 and 18.07.2018 in W.P.(C) 4677/1985 [*M.C. Mehta vs Union of India & Ors.*]. In the event the petitioners have any further grievance with regard to unauthorised construction, they are at liberty to approach the STF. This direction is made with reference to the decisions of the Division Bench in *Devender vs. Govt. of NCT of Delhi and Ors* [order dated 20.09.2018 in W.P.(C) 1807/2018], *Sneh Lata & Anr. vs. North Delhi Municipal Corporation & Anr.* [order dated 08.04.2019 in LPA 245/2019], *Fazruddin vs. DDA & Ors.* [order dated 23.04.2019 in WP (C) 4649/2017], and in *Himanshu vs. East Delhi Municipal Corporation & Anr.* [order dated 31.07.2023 in W.P.(C) 8104/2022], and decisions of Coordinate Benches in *Abdul Gaffar vs South Delhi Municipal Corporation & Ors.* [order dated 28.02.2019 in W.P.(C) 1773/2019] and *Rashiduddin Malik vs. MCD & Ors.* [order dated 02.09.2024 in WP (C) 12102/2024].

5. The petition, alongwith the pending applications, is disposed of.

**PRATEEK JALAN, J**

**OCTOBER 4, 2024/SS/**