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

+ W.P.(C) 14621/2024 & CM APPL. 61383-84/2024

GYAN SEJWAL

.....Petitioner

Through: Mr. D.V. Khatri and Mr. Harshad  
Gupta, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI  
& ORS.

.....Respondents

Through: Mr. Arjun Mahajan, SC with Ms.  
Neha Rai, Mr. Apoorv Upmanyu  
and Ms. Jahnavi Singh, Advocates  
for R-1 & 2.

**CORAM:**

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

**ORDER**

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**18.10.2024**

1. The petitioner has approached this Court against a vacation notice issued by the Municipal Corporation of Delhi ["MCD"] on 11.10.2024 directing him to vacate the subject property *F-116, Village Lado Sarai, New Delhi- 110030*, on account of unauthorised construction on the ground floor and raising columns for the first floor of the property, as well as unauthorised construction in respect of the first floor in respect of the previous notice of the property on 11.03.2020.
2. The vacation notice refers to a demolition order which has already been passed in respect of the subject property, although the details of the demolition order are not mentioned.
3. Mr. Arjun Mahajan, learned counsel for MCD, who appears on advance notice, has handed over in Court, a copy of the demolition order dated 08.10.2024 issued by MCD under Section 343 of the Delhi



Municipal Corporation Act, 1957 and a copy of the order is taken on record. The demolition order refers to unauthorised construction in the shape of the first floor in continuation of the booking of the property in the year 2020.

4. Learned counsel for the petitioner states that no demolition order was served upon the petitioner.

5. A copy of the order has been handed over to learned counsel for the petitioner in Court today.

6. The remedy of the petitioner against the demolition order lies before the Appellate Tribunal of MCD [“ATMCD”].

7. In view of the above, the writ petition is disposed of by directing the MCD not to take further steps pursuant to the impugned vacation notice for a period of 15 days from today.

8. The petitioner may approach the ATMCD in the meantime which will consider the case for interim relief. In any event, if the petitioner is protected by the interim orders, naturally, the MCD is to abide by the same, however, if the writ petitioner is not protected by interim orders, the MCD may take necessary action after the lapse of the aforesaid period of 15 days.

9. The petition is disposed of with the aforesaid directions.

**PRATEEK JALAN, J**

**OCTOBER 18, 2024/MR/**