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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 15093/2024 & CM APPL. 63222/2024
SH SALMANPetitioner
Through: Mr. Gagan Bindra, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI AND
ANRRespondents
Through: Mr. Vishal Chadha, Advocate.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

% **ORDER**
25.10.2024

1. The petitioner has approached this Court seeking action by the Municipal Corporation of Delhi ["MCD"] for demolition of property bearing *No.5/6, Gali No.9, Old Brijpuri, Delhi-110051*, on the ground that the construction therein is being carried out illegally.
2. Mr. Vishal Chadha, learned counsel for MCD, who appears on advance notice, submits that the property has been inspected, and a stop work notice has been issued on 04.09.2024. He states that MCD is in the process of booking the property by issuing a show cause notice to the owners/occupants, and will take further action towards demolition of the property, if necessary, after considering the reply to the show cause notice.
3. He submits that the show cause notice will be issued within one week from today, and the demolition order, if necessary, will be issued within four weeks thereafter, after compliance with all statutory formalities.



4. In view of the aforesaid statement on behalf of learned counsel for MCD, no further orders are required in this writ petition, which stands disposed of, alongwith the pending application.

5. It is made clear that the aforesaid submissions are recorded without prejudice to the rights and contentions of any owners/occupants of the subject property, whose rights and remedies, available in law, are expressly reserved. MCD is directed to take action strictly in accordance with law, and after complying with all statutory requirements.

6. In the event the petitioner has any further grievance with regard to unauthorised construction, he is at liberty to approach 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.*]. 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].

PRATEEK JALAN, J

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