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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 17826/2024
MOHD. AKHLAQPetitioner
Through: Mr. Nitesh Saini, Advocate.
versus

MCD AND ANRRespondents
Through: Mr. Siddharth Gupta, Advocate for
MCD.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
% **23.12.2024**

1. The petitioner has approached this Court under Article 226 of the Constitution, complaining of alleged illegal construction in property bearing No. 1660, *Gali Sayadan Pahari Bhojla, Chitli Qabar, Jama Masjid, Delhi-110006*. The contention of the petitioner is that the construction is being undertaken by respondent No. 2 herein.
2. Mr. Siddharth Gupta, learned for the Municipal Corporation of Delhi ["MCD"] who appears on advance instruction submits that the property has been inspected and upon unauthorised construction having been found, a show cause notice has been issued to the owners/occupants of the subject property on 19.12.2024. A stop work notice has also been issued on the same date. Learned counsel states that further action in accordance with law will be taken expeditiously upon considering the reply to show cause notice, if any.
3. Copies of the aforesaid documents have been handed up in Court and are taken on record.



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

5. The rights and contentions of the respondents or any owners/occupants of the subject property are reserved. MCD is directed to take action strictly in accordance with law, and after complying with all statutory requirements and bearing in mind the Supreme Court judgment dated 13.11.2024 in *In Re: Directions in the matter of demolition of structures* [WP (C) 295/2022 and connected matters].

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

DECEMBER 23, 2024/MR/kb/