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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 385/2025**

USHA SABHARWAL AND ANRPetitioners
Through: Mr. Mayank Sharma and Ms. Simran
Arora, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI
AND ANRRespondents
Through: Ms. Anshula L. Bakhru, Standing
Counsel for R1.
Mr. Sanjeev Sabharwal, Senior Panel Counsel with
Ms. Shweta Singh, Advocate for R2.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
14.01.2025

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CM APPL. 1859/2025

1. Exemption allowed subject to all just exceptions.
2. Application stands disposed of.

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3. This writ petition is preferred on behalf of the Petitioners under Articles 226 and 227 of the Constitution of India seeking demolition of the unauthorized construction allegedly raised in the Stilt Floor and Roof Top of property bearing No. B-9, East Krishna Nagar, New Delhi.
4. Issue notice.
5. Ms. Anshula L. Bakhru, learned counsel accepts notice on behalf of Respondent/MCD and Mr. Sanjeev Sabharwal, learned counsel accepts notice on behalf of Respondent No.2.

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6. Ms. Anshula, on instructions, submits that the subject property was booked way back in 2021, however, demolition action could not be taken for one reason or the other beyond the control of the MCD including the recent GRAP restrictions. She further submits that when the property was inspected on 13.01.2025 there was no ongoing construction but inspection will be carried out again for ascertaining if there are any deviations from the sanction plan of the property and depending on the inspection report action will be taken if warranted.

7. In view of the aforesaid stand of MCD, no further order is required to be passed in this writ petition. Any action taken by MCD will be compliant with applicable statutory provisions and judgment of the Supreme Court in *In Re: Directions in the matter of demolition of structures, 2024 SCC OnLine SC 3291*. In case of any further grievance, it will be open to the Petitioners to approach the Special Task Force constituted vide orders of the Supreme Court in *M.C. Mehta v. Union of India and Others, (2019) 12 SCC 730* and *M.C. Mehta v. Union of India and Others (Sealing Issue, in Re), (2019) 12 SCC 419*.

8. This order is passed without prejudice to the rights and contentions of the owner/occupant of the subject property, who are at liberty to take recourse to legal remedies, if aggrieved.

9. Petition stands disposed of.

JYOTI SINGH, J

JANUARY 14, 2025/jg

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