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

+ **W.P.(C) 540/2025**

SALEEM

.....Petitioner

Through: Ms. Uzma Azeem, Advocate.

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Mr. G.S. Oberoi, Standing Counsel
with Mr. Ankur Sharma, Advocate for R-1/MCD.
Ms. Shreya Bhardwaj, SPC for R-2 and R-3.
Ms. Prabhsahay Kaur, Standing Counsel with Mr.
Bir Inder Singh Gurm and Ms. Kavya Shukla,
Advocates for STF.

**CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH**

ORDER
16.01.2025

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CM APPL. 2475/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 540/2025 & CM APPL. 2476/2025

3. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following relief:-

“A. Issue Direction/Order or Writ in the nature of Mandamus or any other appropriate Writ or Direction/ Order in the like nature to Respondent No. 1 to 4 thereby directing Respondent No. 1 to 4 to take immediate step to demolish the ongoing illegal and unauthorized construction being carried out on the property bearing H. No. 49 (Old No. 19), Gafoor Nagar, Jamia Nagar, Okhla, New Delhi-110025 by the Respondent No.5.”



4. Learned counsel appearing on behalf of the Special Task Force (STF), on instructions, submits that on receipt of advance copy of the writ petition, complaint was registered against Respondent No. 5 and forwarded to Municipal Corporation of Delhi (MCD) for appropriate action.
5. Learned counsel for MCD submits that the property has been booked, show cause notice has been issued and complaint has been sent to PS: Jamia Nagar, for registration of an FIR and letter has been sent to BSES for disconnection of the electric connection. It is also submitted that on inspection, it was found that the property has unauthorized construction and is without the building sanction plan. On instruction, learned counsel submits that necessary action will be taken, in accordance with law.
6. Documents handed over are taken on record and the writ petition is disposed of, taking the stand of MCD on record. Needless to state that MCD will take further action after compliance with the statutory formalities and keeping in view the judgment of the Supreme Court in *In Re: Directions in the matter of demolition of structures, 2024 SCC OnLine SC 3291*.
7. This order is passed without prejudice to the rights and contentions of Respondent No. 5, who may resort to appropriate remedies in accordance with the said judgment.
8. In case of any surviving grievance, Petitioner will be at liberty to take recourse to legal remedies.
9. Pending application stands disposed of.

JYOTI SINGH, J

JANUARY 16, 2025/shivam