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

+ **W.P.(C) 622/2025**

**LALA RAMROOP JAGANNATH
CHARITABLE TRUST**

.....Petitioner

Through: Mr. Ashim Shridhar and Ms. Niyati
Patwardhan, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI & ANR.....Respondents

Through: Mr. Gaganmeet Singh Sachdeva,
ASC for Respondent No.1/MCD.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

21.01.2025

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CM APPL. 2859/2025

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 Petitioner under Article 226 of the Constitution of India seeking directions to the Respondent No.1/MCD to take appropriate demolition action on the existing allegedly unauthorised structure in property bearing No.2776, Main Bazar, Subzi Mandi, Delhi ('subject property').
4. It is the case of the Petitioner that the Building Department of MCD had directed appropriate action with respect to the subject property noticing unauthorised construction on 25.05.2021. MCD issued notice to Respondent No.2, occupier of the building on 07.06.2021 notifying him that



the subject property was in a dangerous condition and its structural stability was questionable. Inspection carried out on 18.06.2021 revealed that the structure was old, damaged and dangerous as also beyond repair and on 21.06.2021, the subject property was declared as “dangerous property”.

5. It is averred in the writ petition that as owner of the property, Petitioner, on 02.07.2021, directed Respondent No.2 to vacate the property and partial demolition was carried out by MCD on five occasions but complete demolition was not carried out. Respondent No.2 filed W.P.(C.) No. 16112/2022 titled *Sh. Sunil Kumar Gupta v. Municipal Corporation of Delhi & Ors.*, in this Court assailing the demolition and eviction orders, in which status report was filed by the MCD bringing forth that the structure deserves to be demolished. Writ petition was withdrawn on 14.10.2024 but the matter rests at that stage and till date no further demolition has taken place and continuance of the existing structure can be dangerous to the inhabitants of the area.

6. Issue notice.

7. Mr. Gaganmeet Singh Sachdeva, learned ASC accepts notice on behalf of Respondent No.1 and on instructions, submits that necessary action will be taken by MCD in accordance with law 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.***

8. Taking the stand of the MCD on record that necessary action will be taken with respect to the subject property which even by MCD’s own showing has been declared as a dangerous building, this writ petition is disposed of. Needless to state the action will be in accordance with statutory



provisions and aforesaid judgment of the Supreme Court. Rights and contentions of Respondent No.2 are left open.

9. In case of any surviving/further grievance, Petitioner may take recourse to legal remedies.

10. Petition stands disposed of.

JYOTI SINGH, J

JANUARY 21, 2025

B.S. Rohella