



\$~81

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

+ **W.P.(C) 660/2025 and CM APPL. No. 3278/2025**

SOMINI CHAMYALPetitioner

Through: Mr. M Naushad, Advocate.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS**

.....Respondents

Through: Mr. Ashutosh Gupta and Mr. Pulkit
Garg, Advocate for MCD.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

%

20.01.2025

C.M. APPL. 3279/2025

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

W.P.(C) 660/2025 and CM APPL. No. 3278/2025

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

“a) Issue a writ in the nature of mandamus or any other appropriate writ, order or direction in favour of petitioner and against the respondent no. 4 & 5 thereby directing the respondent no. 4 & 5 to stop the illegal and unauthorized construction being carried out by them at Plot No.1064(also known as 1063), Ward No.7, Infront of Ek Minar Masjid, Mehrauli, New Delhi -110030

b) Issue a writ in the nature of mandamus or any other appropriate writ, order or direction in favour of petitioner and against the respondent no.1 to 3 thereby directing the respondent no.1 to 3 to demolish and seal the illegal and unlawful existing structure of the building which was illegally constructed by the respondent no.4 & 5 and seal the said property i.e. Plot No.1064(also known as 1063), Ward No.7, Infront of Ek Minar Masjid, Mehrauli, New Delhi -110030.”



4. Issue notice.
5. Learned counsel for MCD, appearing on advance copy of the writ petition, on instructions, submits that the subject property bearing Plot No. 1064, Ward No.7, in front of Ek Minar Masjid, Mehrauli, New Delhi, has been booked on 17.01.2025 and further action will be taken in accordance with law.
6. This writ petition is accordingly, disposed of without entering into merits of the case 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 mind 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 Respondents No.4 and 5, who are at liberty to resort to appropriate legal remedies, if aggrieved.
8. In case of any surviving/further grievance, Petitioner will be at liberty to take recourse to legal remedies.
9. Pending application stands disposed of.

JYOTI SINGH, J

JANUARY 20, 2025/YA