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

+ **W.P.(C) 1337/2025**

LALITA SEHRAWATPetitioner

Through: Ms. Ramisha Jain, Advocate.

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Mr. Karan Kapur, ASC with Mr.
Harsh Chugh, Advocate for R-1.

Mr. Gaurav Mishra, Senior Penal Counsel for
UOI.

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

ORDER
03.02.2025

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CM APPL. 6545/2025

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

W.P.(C) 1337/2025 & CM APPL. 6546/2025

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

*“a. Allow the present Petition and
Issue a writ in the nature of mandamus directing the Municipal
Corporation of Delhi to take immediate action for sealing and demolition
of the illegal construction at Khasra No. 481 & 484, Mahipalpur, New
Delhi in accordance with law; and
b. Pass an appropriate writ, order or direction directing the Respondents
No. 1 & 2 to ensure that no further illegal and unauthorized construction
is permitted at the Subject Property Khasra No. 481 & 484, Mahipalpur,
New Delhi; and”*



4. Issue notice.
5. Counsels, as above, accept notice on behalf of the respective Respondents.
6. Learned Additional Standing Counsel appearing on behalf of MCD, appearing on advance copy of the writ petition, hands over an affidavit dated 03.02.2025 in response to the writ petition, with copy to counsel for the Petitioner. Affidavit is taken on record.
7. It is stated by the MCD in the affidavit that there is unauthorized construction in the shape of ground floor and first floor in property bearing no. Khasra No. 481 & 484, Mahipalpur, New Delhi, which has been booked under Sections 344(1) and 343 of the Delhi Municipal Corporation Act, 1957 ('1957 Act') on 13.12.2024 and simultaneously show cause notice has been issued on 13.12.2024 to owner/builder of the subject property for filing a reply and to show cause why no demolition order should be passed. No reply was received in response to the show cause notice and hence, demolition order has been passed on 23.01.2025 after complying with applicable statutory provisions.
8. It is further stated in the affidavit that work stop notice has been sent to SHO, Vasant Kunj on 16.12.2024 to have the work stopped and remove the labour and tools. Further action of sealing will be taken in accordance with law under Section 345-A of the 1957 Act.
9. In light of the affidavit of MCD and the documents appended thereto, it is apparent that necessary action has been taken and no further order is required to be passed at this stage in this writ petition.
10. Needless to state that MCD will take further action after complying with the applicable statutory provisions 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*.

11. Writ petition along with pending application stands disposed of in the aforesaid terms. In case of any surviving grievance, Petitioner will be at liberty to take recourse to appropriate legal remedies.

12. This order is passed without prejudice to the rights and contentions of Respondent No. 3.

JYOTI SINGH, J

FEBRUARY 03, 2025/shivam