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

+ **W.P.(C) 1958/2024**

**RAHUL BHARGAVA AND ANR** .....Petitioners

Through: Mr. Prashant Batra, Advocate.

versus

**MUNICIPAL CORPORATION OF DELHI  
AND ORS**

.....Respondents

Through: Mr. Sunil Goyal, Additional Standing  
Counsel with Mr. Nitin Kala, Mr. Rachit Gupta,  
Advocates for R1.

Mr. Purushottam Sharma Tripathi and Mr. Rakesh  
Mohan, Advocates for R2, R3, R4, R7 and R8.

**CORAM:**

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

**ORDER**

**24.01.2025**

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1. This writ petition is preferred on behalf of the Petitioners under Article 226 of the Constitution of India levelling allegations of unauthorized construction/encroachment against Respondents No. 2 to 8 as also alleging that a lift has been constructed in the building without following guidelines of National Building Code, 2016 and prevalent IS Codes for seismic zone-IV.

2. During the pendency of the writ petition, counter affidavit has been filed by private Respondents and status report has been filed by MCD. A conjoint reading of the writ petition and the response of the Respondents as also looking at the photographs placed on record by the respective parties, it is evident that the Petitioners as well as Respondents No. 2 to 8 have made allegations and counter allegations against each other. In my view, it would



be appropriate in the complex and disputed facts of this case as also looking at the allegations of violations of NBC, 2016 and prevalent IS codes for seismic zone-IV, if Petitioners approach the Special Task Force, constituted pursuant to the directions 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.

3. Accordingly, this writ petition is disposed of without entering into the merits of the case and giving liberty to the Petitioners to take recourse to appropriate remedy before the Special Task Force. Needless to state this order is passed without prejudice to the rights and contentions of the respective parties including Respondents No. 2 to 8 and MCD.

**JYOTI SINGH, J**

**JANUARY 24, 2025/jg/shivam**