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

+ **W.P.(C) 1643/2025**

SMT ALKA VERMA

.....Petitioner

Through: Mr. Anubhav Bhardwaj, Advocate.

versus

**MUNICIPAL CORPORATION OF DELHI AND
ORS**

.....Respondents

Through: Mr. Aditya Chaudhary and Mr. Garvit Solanki, Advocates for R-1/MCD.

Mr. Arjun Mahajan, Standing Counsel with Mr. Apoorv Upmanyu and Mr. Harsh Vashisht, Advocates for R-2/DDA.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

11.02.2025

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CM APPL. 7975/2025

1. 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 the following relief:-

“a. An appropriate writ or order or direction in the nature of mandamus thereby directing the respondent No.1 corporation demolition of the property of the respondent No.3 being constructed illegally against the law of land.”

4. Issue notice.
5. Mr. Garvit Solanki, learned counsel accepts notice on behalf of



Respondent No.1.

6. Mr. Arjun Mahajan, learned Standing Counsel accepts notice on behalf of Respondent No.2.

7. Learned counsel appearing for Respondent No.1/MCD, on advance copy of the writ petition, on instructions, states that a show-cause notice has been issued on 07.02.2025 to Respondent No.3, as some deviations/excess coverage against the sanctioned building plan were found in different floors of the property in question as also projection on the Government land. Respondent No.3 has been called upon to submit his reply within 15 days as to why demolition order be not passed under Section 343 of the Delhi Municipal Corporation Act, 1957. It is also stated that further action will be taken upon hearing Respondent No.3 and in accordance with law.

8. This writ petition is accordingly disposed of at this stage taking the stand of the MCD on record as well as the copy of the show-cause notice that further action will be taken depending upon the outcome of the hearing of Respondent No.3 as also complying with statutory provisions 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*.

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

JYOTI SINGH, J

FEBRUARY 11, 2025/KA