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

+ **W.P.(C) 1826/2025 and CM APPL. 8711/2025**

MS PUJA ANAND

.....Petitioner

Through: Mr. Pradeep Chaudhary, Advocate.

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Mr. Pritish Sabharwal, Advocate for
MCD.

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

**ORDER
14.02.2025**

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

“(i) to issue a Writ in the nature of mandamus or any other appropriate writ or direction thereby issuing the direction to the respondent no.1 to restrain respondent no.2 to 4 and their associates from raising the illegal and unauthorized construction on the property bearing no. XVII/2251-A, Khasra No. 289, Village Khampur, Ranjit Nagar, New Delhi – 110008

(ii) to issue the direction to the respondent no.2 to 4 to demolish the illegal and unauthorized construction raised by the respondent no. 2 to 4 and her associates at property bearing no. XVII/2251-A, Khasra No. 289, Village Khampur, Ranjit Nagar, New Delhi – 110008, in the interest of justice.”

2. Issue notice.

3. Mr. Pritish Sabharwal, learned counsel accepts notice on behalf of the Respondent No. 1/MCD and hands over a set of documents reflecting that



action has been initiated by MCD against the subject property bearing No. XVII/2251-A, Khasra No. 289, Village Khampur, Ranjit Nagar, New Delhi. From the documents, it is evident that the subject property was booked from Stilt to the Third Floor. Show cause notice was issued under Sections 344(1) and 343 of the Delhi Municipal Corporation Act, 1957 (DMC Act) on 22.11.2024, calling upon the builder/occupier/Respondent No.2 /Mohd. Naseem to submit his reply within three days as to why order of demolition under Section 343 of the DMC Act be not passed. As there was no response from the builder/occupier, order of demolition was passed on 12.12.2024 and subsequent thereto, demolition action was scheduled for 15.01.2025 and part demolition was carried out on the Third Floor wherein roof slab and three RCC panels were demolished and re-enforcement was cut.

4. Documents are taken on record. Needless to state that any further action by MCD will be compliant with statutory provisions and the judgment of the Supreme Court in *In Re: Directions in the matter of demolition of structures, 2024 SCC OnLine SC 3291*. This order is passed without prejudice to the rights and contentions of Respondents No. 2 to 4 herein. In case of any surviving grievance, Petitioner will be at liberty to take recourse to legal remedies.

5. Writ petition stands disposed of along with the pending application.

JYOTI SINGH, J

FEBRUARY 14, 2025/jg/shivam