



\$~134

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1814/2025, CM APPL. 8696/2025 & CM APPL. 48662/2025**
SH SURESH KUMAR MULCHANDANIPetitioner

Through: Mr. Pallav Aneja, Mr. K. Raj Juneja
and Mr. Anshik, Advocates.

versus

DDA AND ORSRespondents

Through: Mr. R.K. Dhawan, Standing Counsel
for DDA with Ms. Nisha Dhawan, Mr. Pawan
Karan Deo, Mr. K.R. Madhar and Mr. V.K. Teng,
Advocates for R-1/DDA.

Mr. Vikas Chopra, Standing Counsel with Mr.
Neeraj Kumar, Advocate for R-2/MCD.

Mr. Sanjay Padam Jain, Advocate for R-3, R-4 and
R-5 with R-4 in person.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
24.11.2025

%

CM APPL. 8697/2025 (Exemption)

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

W.P.(C) 1814/2025, CM APPL. 8696/2025 & CM APPL. 48662/2025

3. This writ petition is filed by the Petitioner under Article 226 of the
Constitution of India seeking the following reliefs:-

*“a) Issue a writ of mandamus or any other writ or direction to the
Respondent No. 1 to immediately demolish the unauthorized and illegal
construction at Ground Floor of property bearing Plot No. 5, Local
Shopping Centre, Progressive House, Rohit Kunj Market, Pitampura,
Delhi-110034 including illegal encroachment of common passage at the*



Ground Floor;

b) any other and further order/directions may also be issued in favour of the petitioner and against the respondents, as may be deemed fit and proper under the facts and circumstances of this case by this Hon'ble Court."

4. Learned counsel for the Petitioner submits that Petitioner had approached the Special Task Force ('STF') constituted under the directions of the Supreme Court in ***M.C. Mehta v. Union of India & Ors., W.P.(C) 4677/1985***, however, no action has been taken on the request of the Petitioner to demolish the unauthorized construction in the subject property, wherein Respondents No. 3 to 5 have removed all walls and merged the 6 shops into 1 (one) shop and have also constructed an illegal and unauthorized brick wall on the common passage, thereby blocking the only emergency exit of the property, in part of which the Petitioner, who is a senior citizen, resides.

5. Learned counsel appearing for MCD, on instructions, submits that after information was received by MCD directions were issued to Respondents No. 3, 4 and 5 to carry out necessary demolition/rectification and the said Respondents have taken necessary action and restored the walls. Unauthorized construction on the common passage has also been removed. Counsel for Respondents No. 3, 4 and 5 reiterates this position and submits that necessary action as directed by MCD has been taken.

6. Assurance given by MCD and Respondents No. 3, 4 and 5 is taken on record and accepted. Let an affidavit in this regard be filed by Respondents No. 3, 4 and 5 within a period of two weeks from today. MCD will carry out periodic inspection of the subject property to ensure that no further unauthorized construction or misuse of the property is carried out by the said



Respondents.

7. Writ petition is disposed of giving liberty to the Petitioner to inspect the subject premises and take photographs and in case any unauthorized construction/encroachment is found, a complaint may be made to MCD and needless to state that appropriate action will be taken by MCD, in accordance with law.

8. Pending applications stand disposed of.

JYOTI SINGH, J

NOVEMBER 24, 2025/RW