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

+ **W.P.(C) 1880/2025**

SARANJIT SINGH AHLUWALIA

.....Petitioner

Through: Mr. Rajat Sang and Mr. Sandeep
Singh Nainwal, Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS**

.....Respondents

Through: Mr. Harshit Chopra, Advocate with
Mr. Nihal Singh, AE, Building Department, West
Zone, for Respondent No.1/MCD.

Mr. Inder Bir Singh and Mr. Jaskaran Singh
Bhandari, Advocates for Respondent No.2.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

14.02.2025

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CM APPL. 8950/2025

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 Constitution of India seeking the following reliefs:

“i) Direct the respondent no.1 & 3 to demolish the unauthorized and illegal construction raised by the respondent no.2 in the premises bearing No. A-127, III Floor, Front side, Fateh Nagar, New Delhi-18 and also direct to stop the carrying out of the illegal and unauthorized construction in the same;

ii) Direct the respondent no.2 to stop the illegal and unauthorized construction being raised by him in the premises in question bearing No. A-127, III Floor, Front side, Fateh Nagar, New Delhi-18;

iii) Cost of the petition may also be awarded in favour of the petitioner and against the respondents.”

4. Issue notice.



5. Counsels, as above, accept notice on behalf of the respective Respondents.
6. Learned counsel appearing for MCD on advance copy of the writ petition, on instructions from Mr. Nihal Singh, Assistant Engineer, Building Department, West Zone, MCD, submits that necessary demolition has been carried out in the subject property and slabs constructed in the Third Floor (Part-I) have been removed. Besides this roof on the mumty was partly demolished and made unusable. It is reassured that there is no unauthorized construction on the third floor of the subject property.
7. Learned counsel for Respondent No.2 submits that demolition in the property of Respondent No. 2 has been unauthorizedly carried out by the MCD at the behest of the Petitioner who had earlier filed a civil suit seeking the same relief, but the suit was dismissed by a categorical finding by the Court that Petitioner is only wanting to settle his private scores by alleging unauthorized construction. It is urged that Respondent No. 2 be compensated for the loss caused to him on account of damage to his property.
8. In light of the stand taken by MCD, no further order is required to be passed in this writ petition. Respondent No. 2 will be at liberty to take recourse to appropriate legal remedies before the appropriate forum, in case he is aggrieved by the alleged unauthorized demolition of his property.
9. Writ petition stands disposed of in the aforesaid terms.

JYOTI SINGH, J

FEBRUARY 14, 2025

B.S. Rohella/shivam