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

+ **W.P.(C) 1993/2025**

RAMESH CHAND

.....Petitioner

Through: Mr. Dhananjay Sehrawat, Advocate
with Petitioner in person.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.....Respondents

Through: Mr. Rakesh Malhotra and Ms. Shipra,
Advocates for Respondent No.1/MCD.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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17.02.2025

C.M. APPL. 9373/2025

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

W.P.(C) 1993/2025 and C.M. APPL. 9374/2025

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

“a. Allow the present Petition; and

b. Issue a writ in the nature of mandamus directing the Municipal Corporation of Delhi to take immediate action for sealing of property bearing H. No. B-6, 313/41, B-Block, Inder Lok, Keshav Puram, Delhi - 110035 and demolition thereof in accordance with law; and

c. Pass an appropriate writ, order or direction directing the Respondents No. 1 & 2 to ensure that no further illegal and unauthorized construction is carried out at the Subject Property i.e. property bearing H. No. B-6, 313/41, B-Block, Inder Lok, Keshav Puram, Delhi - 110035;”

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4. Issue notice.

5. Mr. Rakesh Malhotra, learned counsel appears on behalf of Respondent No.1/MCD on advance copy of the writ petition and on instructions, submits that Respondent No.3, namely Mr. Jaspal Singh has sold the property to Mr. Sabir Ali and Mr. Shakir Ali, in whose favour building plan has been sanctioned by MCD under the SARAL Scheme and thus no ceiling/demolition action is warranted. Nevertheless in case in future, any construction is found to be in violation of the sanction plan, necessary action will be taken by MCD, in accordance with law.

6. In light of the stand taken by MCD that the present owners have obtained a sanction plan in respect of the subject property and the construction alleged to be unauthorised is not unauthorised but is as per the sanction plan, no order is required to be passed at this stage. Assurance of MCD that necessary action will be taken if in future any construction is found in violation of sanction plan as per law, is taken on record.

7. Writ petition is disposed of with liberty to the Petitioner to take recourse to legal remedies in case of any further grievance.

8. Pending application stands disposed of.

JYOTI SINGH, J

FEBRUARY 17, 2025

B.S. Rohella

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