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

+ W.P.(C) 2590/2025

JITENDER KUMAR

.....Petitioner

Through: Mr. Aditya Saluja, Advocate
Mob: 8285189800

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Roshan Lal Goel, Ms. Anju Gupta, Mr. Bhuvan Goel, Advocates for MCD

Mob: 9654169406

Mr. A.K. Mishra and Ms. Shweta Singh, Advocates for R-9

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Ms. Rachita Garg and Mr. Agam Rajput, Advocates for R-4 to 6.

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CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

24.09.2025

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1. The present writ petition has been filed seeking directions to the respondents to take action against the unauthorized construction existing in the *Plot No. 27-A, J&K Ext., Laxmi Nagar, Delhi-110092*.

2. A Status Report dated 20th March, 2025 has been filed on behalf of the Municipal Corporation of Delhi ("MCD"), relevant portion of which, reads as under:



“xxx xxx xxx

3. That, it is submitted that, as per record, the property bearing No. 27-A, J&K, Lalita Park, Laxmi Nagar, Delhi-110092 was booked in unauthorized construction vide booking file No. 222/B/UC/SS/2024 dated 20.11.2024 “u/c in the shape of entire GF, FF, SF, TF & Fourth Floor”. A Show cause notice dated 20.11.2024 u/s 344 (1) & 343 of Delhi Municipal Act, 1957 was issued to Sh. Deepanshu Bansal/Owner/Occupier/Builder of the property in question but the noticee failed to reply to the above Show Cause Notice leading to issuance of Demolition Notice u/s 343 of the Act wherein it was directed to demolish the above cited unauthorized construction within stipulated period. The noticee again preferred not to comply with directions resulting in order of demolition has been passed on 03.01.2025 against the impugned property after following due process of law. Copy of Show Cause Notice dated 20.11.2024 & Order of Demolition dated 12.12.2024 are annexed herewith as **Annexure R – 1 (Colly)**.
4. That, it is to further inform that the department also issued Sealing Show Cause Notice u/s 345-A of the DMC Act 1957 to Sh. Deepanshu Bansal/Owner/Occupier/Builder of the property in question and after following due process of law, the order of sealing the impugned property has been passed on 30.12.2024. Copy of Sealing Show Cause Notice dated 10.12.2024 & Sealing Order dated 30.12.2024 are annexed herewith as **Annexure R – 2 (Colly)**.
5. That, pursuant to the order of demolition & sealing, the department intended to execute demolition/sealing action on 10.02.2025 & 11.02.2025 but could not be taken on account of shortage of time. Further, the department again planned demolition/sealing action against the property in question on 19.02.2025 and the same was



executed wherein demolition action taken at Fourth Floor of the property in form of demolishing one RCC panel including cutting of reinforcement with the help of gas cutter in the presence of Police Force from Police Station – Laxmi Nagar, Delhi. Photographs taken during the action on 19.02.2025 are annexed herewith as **Annexure R – 3 (Colly)**.

6. That, in-furtherance, the department also executed sealing action on 19.02.2025 wherein the entire Fourth Floor including two shops at Ground Floor of the premises have been sealed.

7. That, it is further submitted that demolition action at Third Floor of the property was taken on 28.02.2025 wherein demolishing one RCC panel including cutting of reinforcement has been done. In addition to this, the department sealed the entire property at main entrance at Ground Floor and also sealed a shop at Ground Floor. Photographs taken during the action on 28.02.2025 are annexed herewith as **Annexure R – 4 (Colly)**.

8. That, the department scheduled further special program of sealing and demolition on 17.03.2025 & 18.03.2025 wherein the property was de-sealed for the purpose of executing demolition action and the same was executed in form of cutting RCC panels at Third Floor and Fourth Floor & made inhabitable. After taking demolition, the property entirely re-sealed at main entrance at Ground Floor via one point. Photographs taken during the action on 17.03.2025 & 18.03.2025 are annexed herewith as **Annexure R – 5 (Colly)**.

9. That, further course of action will be taken in due course of time as per law.

3. Perusal of the aforesaid Status Report shows that the MCD has taken demolition action with respect to the unauthorized construction in the



property in question on 19th February, 2025 itself. Further, sealing action was also done by the MCD on 19th February, 2025, wherein, the entire fourth floor, including, two shops at ground floor of the premises, have been sealed.

4. Further, demolition action was also taken by the MCD on 28th February, 2025, 17th March, 2025 and 18th March, 2025.

5. Considering the aforesaid, it transpires that the MCD is already taking the requisite action against the property in question.

6. Accordingly, no further orders are required to be passed in the present petition.

7. MCD shall ensure that no further unauthorized construction takes place in the property in question.

8. In case, any of the parties is aggrieved by any action or non-action on the part of the MCD, their right to seek remedies in accordance with law is reserved.

9. With the aforesaid directions, the present writ petition is accordingly disposed of.

MINI PUSHKARNA, J

SEPTEMBER 24, 2025
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