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

+ **W.P.(C) 2770/2025 & C.M. APPL. 13173/2025**

SH. FEEROJ KHAN

.....Petitioner

Through: Mr. Baban Kumar Sharma and Mohd. Babar, Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS**

.....Respondents

Through: Mr. Abhishek Mahajan, Advocate for MCD.

Mr. Vikrant N. Goyal, Ms. Shivani Yadav, Mr. Aditya Shukla and Mr. Nitin Chandna, Advocates for UOI.

Ms. Prabhsahay Kaur, Standing Counsel with Ms. Kavya Shukla and Mr. Bir Inder Singh, Advocates for STF.

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

**ORDER
05.03.2025**

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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) Issue necessary orders in nature of writ of mandamus and issue orders and direction against the respondent No. 1 i.e. Municipal Corporation of Delhi and its officials to take the immediate step to stop the ongoing illegal and unauthorized construction being carried out by the respondent No.4 at the said Property bearing No. C-1 & C-2, Gulmohar Avenue, Near Tokona Park, Jamia Nagar, Okhla, New Delhi-110025 admeasuring 400 Sq. Yds.;
ii) Issue writ in nature of mandamus and pass orders and directions against the respondent No.2 i.e. SHO P.S. Jamia Nagar and respondent No.3 i.e. Special Task Force to take immediate step and to provide all assistance and police force to the respondent No.1 for stopping ongoing illegal and unauthorized construction over the said property by the



respondent No.4;

iii) Issue writ in nature of mandamus and to pass orders and directions against the respondent No.4 not to commit any violation of the provisions of Municipal Corporation of Delhi Act, 1957 (As amended upto date) and Building Bye-Laws;

iv) The directions may also be issued to the respondent No.1, 2 & 3 to take appropriate action to register the FIR against the respondent No.4;”

2. Learned counsel appearing on behalf of the Petitioner submits that a complaint was filed before the Special Task Force but the inaction on the part of the said Respondent No. 3 has compelled the Petitioner to approach this Court.

3. Issue notice.

4. Counsels, as above, accept notice on behalf of the respective Respondents.

5. Learned counsel for the STF submits that no complaint has been received by the STF as per the prescribed procedure, however, on receipt of the advance copy of the writ petition and treating it as a complaint of the Petitioner, the same has been registered on 03.03.2025 vide reference ID No SNS2025030344P and instructions have been issued to MCD for taking appropriate action in the matter. Copy of the document showing registration of the complaint is taken on record.

6. Writ petition along with pending application stands disposed of in view of the aforesaid.

7. Needless to state that MCD will take further action after compliance with the statutory formalities and keeping in view the judgment of the Supreme Court in ***In Re: Directions in the matter of demolition of structures, 2024 SCC OnLine SC 3291.***



8. This order is passed without prejudice to the rights and contentions of Respondent No. 4.

9. In case of any surviving grievance, Petitioner will be at liberty to take recourse to legal remedies.

JYOTI SINGH, J

MARCH 05, 2025/shivam