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

+ **W.P.(C) 2904/2025**

DHARAMBIR SINGH

.....Petitioner

Through: Mr. Nishant Kaushik and Ms. Fari
Abbas, Advocates.

versus

MUNICIPAL CORPORATION DEPARTMENT, DELHI

& ORS.

.....Respondents

Through: Mr. Vikas Chopra, Standing Counsel
with Ms. Anita R. Mishra and Ms. Khushi,
Advocates for MCD.

Mr. Counsel for R-2/STF (appearance not given).

Mr. Manashwy Jha, Panel Counsel (Civil) for R-3
and 5.

Mr. Amit Gupta, SPC and Mr. Vidur Dwivedi, GP
for R-4 and 6.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

07.03.2025

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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:-

“a) Issue a writ in the nature of Mandamus or any other writ, order or direction as may be deemed appropriate by this Hon’ble Court, directing the MCD & STF of DDA (respondents no. 1& 2) respectively to demolish the illegal section of construction & impose a heavy and exemplary fine on the owner of the illegal structure. Further to take strict disciplinary action against the officer of the concerned area.

b) to direct the concerned respondents to satisfy this Hon’ble Court that in what particular suitable time agencies will submit the required status that what particular action they are planning to approach.”

2. Learned counsel for the Petitioner submits that Petitioner had earlier



filed a writ petition being W.P.(C) 426/2025 alleging unauthorized construction in a plot between 25B and 26B, Swatantra Nagar, Narela, Delhi which was disposed of as withdrawn on 14.01.2025 granting liberty to the Petitioner to approach the Special Task Force ('STF') constituted under the orders of the Supreme Court. Pursuant to the said liberty, Petitioner filed a complaint before the STF on 20.01.2025, however, no action has been taken by STF, compelling the Petitioner to again approach this Court.

3. Issue notice.

4. Learned counsels, as above, accept notice on behalf of respective Respondents.

5. Learned counsel for Respondent No. 2/STF submits that complaint of the Petitioner has been registered and the complaint will be taken up for consideration in the next meeting of STF. Learned Standing Counsel for MCD, on instructions, submits that action has been initiated against the subject property and show cause notice has been issued under Sections 344(1) and 343 of the Delhi Municipal Corporation Act, 1957 ('1957 Act') on 10.01.2025 to Mr. Vimal Pandey, owner/occupier of the subject property after noticing unauthorized construction on the ground floor and first floor. Period of 15 days has been given to Mr. Vimal Pandey, owner/occupier to file his reply and show cause why order of demolition be not passed under Section 343 of 1957 Act and on receipt of response, if any, necessary action will be taken by MCD, in accordance with law. Copy of show cause notice has been handed over to learned counsel for Petitioner as also to this Court and is taken on record.

6. In light of the stand taken by MCD, no further order is required to be passed in this writ petition at this stage. Needless to state, further action will



be taken by MCD after complying with applicable statutory provisions and keeping in view the guidelines laid down by the Supreme Court in ***In Re: Directions in the matter of demolition of structures, 2024 SCC OnLine SC 3291.***

7. This order is passed without prejudice to the rights and contentions of the owner/occupier of the subject property. In case of any surviving/further grievance, Petitioner will be at liberty to take recourse to legal remedies.
8. Writ petition is disposed of in the aforesaid terms.

JYOTI SINGH, J

MARCH 7, 2025
S.Sharma