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

+ **W.P.(C) 3093/2025 & CM APPL. 14656/2025**

MATLOOB @ MATLOOB KHAN

.....Petitioner

Through: Mr. Shahnawaz Malik, Advocate
versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Kunal Rawat, Advocate for R-1

Mob: 9312012009

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Mr. Sanjeev Sabharwal, Advocate for
UOI

Mob: 9810031680

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Ms. Shubhra Parashar, Mr. Virender
Pratap Singh, Mr. Shivam M.
Tripathi, Advocates for R-2, SHO
Jamia Nagar, SI Nitin Tomar and PS
Jamia Nagar

Mob: 9891220689

Mr. Rizwan and Mr. Samarth Sharma,
Advocates for R-3 & 4.

Mob: 9643349576

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

24.03.2025

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1. None appears for the petitioner when the matter is called out.
2. Learned counsel appearing for respondent no. 1-Municipal Corporation of Delhi ("MCD"), draws the attention of this Court to the Status Report filed on behalf MCD, wherein, it is stated that the unauthorized construction at *Khasra no. 249, R-877, Village Jogabai, Jamia*



Nagar, New Delhi 110025, has been booked by MCD.

3. It is further submitted that demolition proceedings have been commenced on behalf of the MCD, on the basis of previous litigation with respect to the same property, i.e., *W.P.(C) No. 17555/2024*, titled as *Rashid Hussain Versus. Municipal Corporation of Delhi and Ors.*

4. The relevant portions of the Status Report filed by MCD, is extracted as below:

“xxx xxx xxx

ii. **Demolition proceedings u/s 343/344 of the DMC**

Act- As per record, demolition proceedings against the subject property already stand initiated u/s 343/344 of the DMC Act vide U/c file No. 631/B/UC/EE(B)-I/CNZ/2024 dated 25.11.2024 and 72/B/UC/EE(B)-I/CNZ/2025 dated 13.02.2025 for the unauthorised construction in the shape of Stilt, Ground Floor to Fourth Floor. Accordingly, Show Cause Notices bearing printed No. 16903 dated 25.11.2024 & 21022 dated 13.02.2025 were issued in the name of the Owner/ Builder of the property. After following due process of law, demolition order in respect of U/c file dated 25.11.2024 also stand passed on 23.12.2024. Copies of Show Cause Notice dated 25.11.2024 & 13.02.2025 and demolition order dated 23.12.2024 are annexed herewith as **Annexure: A (Colly)**.



iii. **Disconnection of Water & Electricity-** The answering respondent vide letter No. D/133/AE(B)-II/CNZ/2024 dated 02.12.2024 and D/248/AE(B)-I/CNZ/2025 dated 17.02.2025 also referred the case to Delhi Jal Board and BSES Rajdhani Power Limited for disconnection of Water and Electricity of the subject property. The office of Sub-Registrar was also requested for not registering the said property. Copies of the letters as sent to BSES, DJB and Sub-Registrar are annexed herewith as **Annexure-B (Colly)**.

iv. **Work Stop Notice u/s 344(2) of the DMC Act-** To prevent further unauthorized construction, the answering respondent issued work stop notice to SHO/ PS-Shaheen Bagh vide No. D/123/AE(B)-II/CNZ/2024 dated 02.12.2024 and D/248/AE(B)-I/CNZ/2025 dated 17.02.2025 for getting the construction work stopped, to seize the building material, tools and plant and to disperse the workforce from construction site. Copy of work stop notice dated 02.12.2024 and 17.02.2025 as sent are annexed herewith as **Annexure: C (Colly)**.





5. That pursuant to demolition order already stand passed, on 23.12.2024, this answering respondent has taken following actions against subject property:-

Date	Action Taken
13.02.2025	Upon availability of Police Force, 02 RCC panels were demolished and cut down with the help of gas cutter at roof of ground floor.
17.03.2025	Upon availability of Police Force, 04 RCC panels were demolished and cut down with the help of gas cutter at roof of ground floor.

Photographs showing the aforesaid demolition actions, as taken by the department are annexed herewith as **Annexure: D (Colly)**.

6. That, pursuant to aforesaid demolition actions, letters dated 14.02.2025 and 17.03.2025 have been sent to the SHO, PS Jamia Nagar with the request to keep strict vigil over the subject property, so that Owner/ Builder may not be able to restore the demolished portion. Copies of watch & ward letters dated 14.02.2025 and 17.03.2025, as sent to the SHO, PS Jamia Nagar are annexed herewith as **Annexure: E (Colly)**.

7. That, further action against this property has been planned for 25.03.2025 and the same shall be taken upon availability of Police Force.

xxx xxx xxx”

5. Perusal of the aforesaid shows that the MCD is already taking action against the unauthorized construction, in the property in question.
6. Further, as informed by learned counsel appearing for the MCD, the demolition action against unauthorized construction in the property in question, is also fixed for tomorrow, i.e., 25th March, 2025.



7. Accordingly, considering the aforesaid, it is directed that the MCD shall take requisite action and demolish the unauthorized construction in the building fully.
8. No further directions are required to be passed in the present petition, at this stage.
9. The present petition, along with the pending application, is disposed of.

MINI PUSHKARNA, J

MARCH 24, 2025

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