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

+ **W.P.(C) 4223/2025**

VINAY VERMA

.....Petitioner

Through: Mr. Tarun gulia, Ms. Priya Soni, Mr.
Yatin Bhutani, Mr. Prabhsimar Singh,
Advocates

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Ms. Sangeeta Bharti, SC for DJB with
Ms. Malvi Balyan, Adv.

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Mr. Manish Rohilla, SPC-UOI with
Mr. Pradeep Yadav, Mr. Md. Abdul,
Advs. for R-2 and 5

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Mr. Abhinav Singh, Ms. Bharti
Yadav and Mr. Rishabh Mittal, Advs.
for R-GNCTD

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Mr. Rakesh Bhatnagar, Ms. Shagun
Bhatnagar, Advs. for R-7

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

10.11.2025

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1. The present writ petition has been filed seeking directions to the respondent-Municipal Corporation of Delhi ("MCD") to take action against the unauthorized construction existing in the property bearing *No. G- 2/23, Gali No. 32, Raja Puri, Uttam Nagar, New Delhi-110059*, admeasuring more than 50 square yards.



2. A Status Report has been filed on behalf of the MCD, relevant portions of which, read as under:

“xxx xxx xxx

2. That the case of the Petitioner, as averred in the instant Petition, is that the Owner(s)/Builder(s) of the Plot No.G-2/23, Gali No.32, Rajapuri, Uttam Nagar, New Delhi-59 has been carried out illegal construction at the said property without taking any sanction and approval from the competent authority.
3. That the property in question was inspected on 01/04/2025 and on inspection the unauthorized construction from ground floor to 4th floor was found raised at the said property.
4. That as per record, no building plan or any approval was found granted by the Respondent No.1/MCD (Building Deptt., Najafgarh Zone) for the said construction/property. Therefore, the Department booked the said property addressed as “P.No.23-A, G-2-Block, Gali No.32, Rajapuri, New Delhi-59” under Section 344(1) and 343 of the DMC Act, vide U.C. File No.76/B/UC/NGZ/25 dated 01/04/2025 on account of unauthorized construction carried out in the shape of GF, FF, SF, 3rd floor, 4th floor and further sent/issued the Show Cause Notice to the Owner(s)/Builder(s). After following the due process of DMC Act, the Demolition Order has been passed by the Department on 09/05/2025.



5. That the Work Stop Notice under Section 344(2) of the DMC Act was sent to SHO, P.S.: Dabri vide No.EE(B)NGZ/25/D-2/05 dt. 02/04/2025 for getting the construction activity stopped and to confiscate the building material, tools / plant from site and also to disperse the workforce engaged for the construction work.
6. That furthermore, a Complaint under Section 332/461 read with Section 466-A of the DMC Act has also been made by the Department with the SHO concerned for execution of Prosecution Action against the violator(s)/Owner(s)/Builder(s), vide complaint letter No.EE(B)NGZ/25/D-8/34 dated 24/04/2025.
7. That apart from above, the action under Section 345-A of the DMC Act has also been initiated by the Department, so as to take sealing action against the property under question, vide Sealing File No.EE(B)/NGZ/25/UC/SCN/D-39 dated 25/04/2025.
8. That further action will be taken by the Respondent/ MCD in accordance with the provisions of DMC Act on 13/05/2025 for    .
3. Perusal of the aforesaid Status Report shows that Demolition Order dated 09th May, 2025, has already been passed and a Work Stop Notice has also been issued.
4. Accordingly, the MCD is enjoined upon to take action against the unauthorized construction existing in the property, by following the due procedure and in accordance with law.
5. In case, any party is aggrieved by any action or non-action on the part



of the MCD, their right to seek remedies, in accordance with law, is kept open.

6. Noting the aforesaid, the present writ petition is accordingly disposed of.

MINI PUSHKARNA, J

NOVEMBER 10, 2025/au