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

+ W.P.(C) 4420/2025

TUSHAR WADHWA

.....Petitioner

Through: Mr. C.M. Sharma, Ms. Sanjana Advs
(VC)

versus

MUNICIPAL CORPORATION OF DELHI & ORS.....Respondents

Through: Ms. Sanya Bhatia, Adv. for R-1 to R-
4/MCD

Mobile- 9811611460

Mr. Gaganmeet Singh Sachdeva,
Adv. for STF/DDA(VC)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

07.04.2025

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1. The present writ petition has been filed under Article 226 of the Constitution of India seeking the intervention of this Court to stop the illegal construction activity being carried out at property bearing no. A-235, *Derawal Nagar, Delhi-110009*.

2. At the outset, learned counsel appearing for the respondent/ Municipal Corporation of Delhi ("MCD"), on advance notice, submits that the construction in the said property is being carried out, on the basis of sanctioned building plan dated 27th September, 2024. She submits that the property in question has been booked and certain deviations in the construction, in violation of sanctioned building plan, were found. She thus, submits that Show Cause Notice dated 26th March, 2025, has already been issued to the owner/builder of the property in question. She submits that the



requisite action shall be taken for removal of the deviations, as per the law. She further submits that the petitioner does not reside in the area in question and that the present petition, as such, is not maintainable.

3. Learned counsel appearing on behalf of the respondent No.5/Special Task Force (“STF”) also makes a similar submission and submits that the averments made in the present petition are vague in nature and that the petitioner has not been able to show as to how the petitioner is affected by the construction.

4. Be that as it may, without going into the aforesaid issue, since it is the clear case of the respondent/MCD that the deviations in the construction in the subject property have already been booked and action shall be taken, this Court is of the view that no further orders are required to be passed by this Court.

5. Accordingly, it is directed that the respondent/MCD shall take requisite action against the deviations, in accordance with the law.

6. Noting the aforesaid, the present writ petition, along with pending applications, is accordingly disposed of.

MINI PUSHKARNA, J

APRIL 7, 2025

Pallavi