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

+ W.P.(C) 4706/2025 & CM APPLs. 21678/2025 & 21679/2025

ABHINAV KUMAR

.....Petitioner

Through: Mr. Apoorv Agarwal with Ms. Ritika Gusain, Mr. Uday Pratap Rathore and Ms. Aastha Arora, Advocates.
(M): 8879905591
Email: ritikagusain09@gmail.com

versus

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

Through: Mr. Harshit Chopra with Mr. Gaurav Kumar, Advocates for respondent no. 1/MCD.
(M): 9911543883
Email: advharshitchopra@gmail.com
Mr. Abhinav Sharma, Advocate for respondent no. 2.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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17.04.2025

CM APPL. 21679/2025 (Application for Exemption)

1. Exemption allowed, subject to all just exceptions.
2. Application is disposed of.

W.P.(C) 4706/2025 & CM APPL. 21678/2025 (for stay)

3. The present writ petition has been filed seeking directions to the respondent nos. 1 and 2 to take appropriate action, as per law, against the unlawful construction raised by respondent no. 3 at *property bearing no. D-*



36/752, Chhatarpur Pahadi, New Delhi-110074.

4. Learned counsel, appearing on advance notice, for respondent no. 1/ Municipal Corporation of Delhi (“MCD”), submits that the unauthorized construction in the property has already been booked on 11th April, 2025. He further submits that there is an unauthorized construction in the property in the form of stilt till 4th floor. He submits that an action against the unauthorized construction shall be taken accordingly.
5. Accordingly, it is directed that the MCD shall take action against the unauthorized construction after following the due procedure and after granting the right of hearing to the respondent no. 3, before any action is taken.
6. In case, the petitioner is aggrieved by any non-action on the part of the respondent nos. 1 and 2, the petitioner shall be at liberty to approach the Special Task Force (“STF”), constituted by the Supreme Court.
7. It is clarified that the rights and contentions of the parties are kept open.
8. In case, respondent no. 3, *qua* whose property action is sought to be taken, is aggrieved by any action by the MCD, the respondent no. 3/owner/occupier of the property in question, is at liberty to seek remedies, as per law.
9. With the aforesaid directions, the present writ petition, along with the pending applications, is disposed of.

MINI PUSHKARNA, J

APRIL 17, 2025

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