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

+ W.P.(C) 8838/2022 & CM APPL. 7093/2023

ASHA GROVER

.....Petitioner

Through: Mr. Sandeep Kochhar, Adv.

versus

STATE OF NCT OF DELHI AND ORS.

.....Respondents

Through: Ms. Latika Malhotra and Ms. Kritika Gupta, Advs. for DDA
Mr. Himanshu Pathak, SPC with Mr. Amit Singh, Adv. for R-3
Mr. Vikrant N. Goyal and Mr. Prince Balyan, Advs. for MCD (Through VC)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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11.09.2025

1. The present writ petition has been filed seeking directions to respondent nos. 1 to 5, to initiate action with respect to the illegal and unauthorized construction being carried out in the property bearing *House No. A-26, Ist and IInd Floors, Double Storey, Ramesh Nagar, New Delhi*, by respondent no. 6.

2. A Status Report dated 07th August, 2025, has been filed on behalf of the Municipal Corporation of Delhi ("MCD"), wherein, it has been stated as follows:

"xxx xxx xxx"

9. That a Vacation Notice u/s 349 of the DMC Act vide no.



*D/AE(B)/KBZ/2024/1728 dated 05.08.2025 has also been issued to Owner/Occupier to vacate the property i.e. A-26, Third Floor, Double Storey, Ramesh Nagar, Delhi so that demolition/sealing action against the property could be taken by the department. Copy of the vacation notice dated 05.08.2025 is annexed herewith as **Annexure-A**.*

10. That further action u/s 344(1) and 343 of the DMC Act, 1957 had been initiated against the unauthorized construction carried in the property no. A-26, (Second Floor), Double Storey, Ramesh Nagar, Delhi and the property has been booked for “in continuation of earlier booking no. B/UC/KBZ/2017/315 dated 16.11.2017 further U/C in the shape of entire second floor (although it is old and occupied) vide file no. 173/C-90/B/UC/KBZ/25 dated 04.08.2025 and a show cause notice dated 04.08.2025 u/s 344 (1) and 343 of the DMC Act, 1957 has been issued to Owner/Occupier. Further action shall be taken in due course of time as per law. Copy of show cause notice dated 04.08.2025 is annexed herewith as Annexure-B.”

3. Perusal of the aforesaid Status Report shows that a Show Cause Notice has been issued by the MCD on 04th August, 2025.
4. Accordingly, the MCD is directed to take action against the unauthorized construction in the property in question, after following the due procedure, in accordance with law.
5. The MCD is directed to take a time bound action against the unauthorized construction existing in the property in question, preferably, within a period of four months, from today, subject to any orders that may be passed in any related proceedings.
6. In case, the petitioner is aggrieved by any non-action on the part of the MCD, the petitioner shall be at liberty to approach the Special Task Force (“STF”), as constituted by the Supreme Court, in terms of the orders passed by the Division Bench of this Court in the case of **Devender Versus Govt. of NCT of Delhi and Ors.**, and other connected matters, in **W.P.(C) 1807/2018**, and **Fazruddin Versus DDA and Ors**, in **W.P.(C) 4649/2017**.
7. Likewise, if respondent no. 6 is aggrieved by any action taken by the



MCD, the right of respondent no. 6 to seek her remedies, in accordance with law, is reserved.

8. With the aforesaid directions, the present writ petition, along with the pending application, stands disposed of.

MINI PUSHKARNA, J

SEPTEMBER 11, 2025/KR