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

+ **W.P.(C) 5179/2025**

KULWANT SINGH BHASIN

.....Petitioner

Through: Ms. Lovee Tyagi, Adv. (Through VC), along with petitioner in person.

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versus

THE COMMISSIONER MCD OF DELHI & ORS.Respondents

Through: Ms. Jagrati Singh, SC for MCD with Mr. Rajpal, Mr. Surender Kumar and Mr. Sanjay, Advs.

Mob: 9250208553

Mr. R.K. Dhawan, SC for DDA with Ms. Nisha Dhawan, Mr. Pawan Karan Deo and Mr. K.R. Madhar, Advs.

Mob: 9899775330

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Mr. Ishvinder Singh, Adv. for R-5 and 6 (Through VC)

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Ms. Shagun Shahi Chugh, SPC with Ms. Kavya Roy Choudhury, Advs. for R-Delhi Police.

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CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

27.10.2025

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1. The present writ petition has been filed seeking directions to the



respondent nos. 1 to 3, to take appropriate action against respondent nos. 5 and 6, for raising unauthorized construction at the property bearing *No. D-4, Ground Floor, Fateh Nagar, Jail Road, New Delhi-110018*.

2. A Status Report dated 24th October 2025 has been filed on behalf of respondent no. 1, i.e., Municipal Corporation of Delhi (“MCD”), relevant portions of which, read as under:

“xxx xxx xxx

4. That, in continuation of earlier report filed by the Answering Respondent No. 1/MCD in respect of suit property bearing No. D-4, Fateh Nagar, New Delhi, it is further submitted that in order to execute action against the alleged unauthorized construction booked by the department vide file No. EE(B)-I/WZ/UC/15/497 dated 21.12.2015 in the shape of u/c by covering of open area with temporary shed & shutter (front portion) at Ground Floor of the property (commercial shop) a special demolition/sealing action program were fixed by the department under the jurisdiction of PS- Hari Nagar for 21.05.2025 and 27.06.2025. Further, during the action program on 21.05.2025, the sealing action against three shutters at four points were taken at Ground Floor. Further, during the action program on 27.06.2025, the seals along the walk way within the property from both sides to access the shops from inside of the property were sealed. The photographs taken during the sealing actions on 21.05.2025 and 27.06.2025 are attached herewith as Annexure-A.

5. That further, an inspection was carried out by the department on 23.10.2025 and it was found that seals



affixed by the department on 21.05.2025 and 27.06.2025 are intact but the rope of the sealed point was found loosed due to wear & tear therefore, the said rope was tightened by the JE(B) concerned at the site. Further, at the time of inspection no commercial activity of any type was found going on in the aforesaid premises.

6. That it is further submitted that the further demolition action in respect of the alleged unauthorized construction at the aforesaid property shall be taken by the department after taking permission from competent authority for de-sealing the aforesaid property for the purpose of demolition on 04.11.2025.

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3. Perusal of the aforesaid Status Report shows that sealing action with respect to the property in question was taken by the MCD on 21st May, 2025 and 27th June, 2025. Further, as per the inspection carried out by the MCD, the seals affixed by the Department on 21st May, 2025 and 27th June, 2025 are intact. Additionally, further demolition programme is fixed for 04th November, 2025.

4. Accordingly, the MCD is held bound to take requisite action, in accordance with law, against the unauthorized construction in question.

5. In case, any party is aggrieved by any action or non-action on the part of the MCD, their rights to seek their remedies, in accordance with law, is left open.

6. Learned counsel appearing for respondent no. 5 and 6 submits that they have already filed an appeal before the learned Appellate Tribunal MCD (“ATMCD”).



7. The aforesaid statement is taken note of.
8. Accordingly, noting the aforesaid, the present writ petition, is disposed of.

MINI PUSHKARNA, J

OCTOBER 27, 2025/SK