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

+ W.P.(C) 5329/2025 & CM APPL. 24272/2025, CM APPL. 24273/2025

MOHD. NASIR

.....Petitioner

Through: Mr. Lakshay Kumar, Advocate along
with petitioner in person.
Mob: 7982545649

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Ms Shilpa Dewan, ASC for MCD
Mob: 9971192772
email - shilpadewan06@gmail.com
Mr. Sanjeev Sabharwal, SPC for UOI
Mob: 9810031680

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **25.04.2025**

1. The present writ petition has been filed for directions to the respondent nos. 1 and 2, to take action against the illegal and unauthorised construction being raised by respondent no. 3 in the property bearing *no. 1412, Situated at Gali Gondhni Wali, Kala Mahal, Jama Masjid, Delhi-110006*.
2. Learned counsel appearing for the respondent no. 1-Municipal Corporation of Delhi ("MCD"), on advance notice, submits that a Show Cause Notice, with regard to the unauthorised construction in the property, has already been issued on 25th April, 2025, i.e., today itself.
3. The copy of the First Information Report and Show Cause Notice, have been handed over to this Court, which are taken on record.



4. She further submits that the requisite action shall be taken against the unauthorised construction after following the due procedure of law.
5. Accordingly, it is directed that the requisite action against the unauthorised construction being carried out in the property in question, shall be taken by respondent-MCD, in accordance with law and after following the due procedure.
6. The MCD is directed to take a time-bound action against the unauthorised construction, preferably, within a period of six months from today.
7. In case, the petitioner is aggrieved by any non-action on the part of the respondent MCD, the petitioner shall be at liberty to approach the Special Task Force (“STF”), constituted by Supreme Court in consonance with the directions issued by the Division Bench of this Court in the case of *Devender Versus Govt. of NCT of Delhi and Ors.*, in *W.P.(C) 1807/2018* and *Fazruddin Versus DDA and Ors.* in *W.P.(C) 4649/2017*.
8. Likewise, if the owner/occupier of the property is aggrieved by any action that may be taken by the MCD, the said owner/occupant of the property in question, is at liberty to seek his remedies, in accordance with law.
9. The MCD shall ensure that the unauthorised construction being carried out in the property in question, shall be stopped, forthwith.
10. Rights and contentions of both the parties are kept open.
11. With the aforesaid directions, the present writ petition, along with the pending applications, is accordingly disposed of.

MINI PUSHKARNA, J

APRIL 25, 2025/ak