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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 5247/2025, CM APPL. 23853/2025 & CM APPL.
23854/2025
AMIR KHANPetitioner

Through: Mr. Javed Ahmad, Mr. Shiv Shankar
Parashar and Ms. Aakriti Aditya,
Advocate
M. 9958085427
Email.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents
Through: Mr. Puneet Yadav, Advocate
M. 9999388384
Email.
puneetyadavadvocate@gmail.com
Mr. Vivek Sharma, Senior Panel
Counsel with Ms. Prerna Singh,
Advocate for R-3/Delhi Police.
M. 9810418275
Email. sharmavadvate@gmail.com

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

23.04.2025

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1. The present writ petition has been filed with prayer for restraining the Municipal Corporation of Delhi ("MCD"), for initiating demolition proceedings on the basis of the Show Cause Notice dated 29th January, 2025, against the petitioner's property bearing no. H-748 admeasuring 100 square yards in Khasra No. 746 situated at Gadda Colony, Jaitpur Extension, Part-



2, Badarpur, New Delhi.

2. After some arguments, learned counsel appearing for the petitioner submits that he may be granted liberty to challenge the Demolition Order dated 25th February, 2025, passed by the Building Department, MCD, in terms of the provisions of the DMC Act, 1957, by way of a statutory appeal.

3. Liberty is so granted.

4. Accordingly, it is directed that the petitioner shall approach the Appellate Tribunal, MCD i.e., ATMCD, and file a statutory appeal challenging the said Demolition Order, as aforesaid.

5. In order to allow the petitioner to file an appeal before the learned ATMCD, it is directed that no coercive action shall be taken against the petitioner, for a period of two weeks, from today.

6. It is clarified that in case an appeal before the learned ATMCD is not filed by the petitioner within a period of two weeks from today, the protection granted by today's order, shall automatically lapse.

7. Upon the petitioner filing an appeal before the learned ATMCD, the same shall be considered on its own merits.

8. It is clarified that this Court has not expressed any opinion on the merits of case. Rights and contentions of all the parties are left open.

9. With the aforesaid directions, the present petition, along with pending applications, stands disposed of.

MINI PUSHKARNA, J

APRIL 23, 2025

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