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

+ **W.P.(C) 5423/2025**

ROHIT KAPOOR

.....Petitioner

Through: Mr. Saurabh Sharma, Advocate
(M:9899087801)

versus

MUNICIPAL CORPORATION OF DELHI & ORS. ...Respondents

Through: Mr. Manu Chaturvedi, SC-MCD
(M:9315827955)
Mr. Mukul Singh, CGSC with Mr.
Aryan Dhaka, Advocate for R-3
(M:9971359512)

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
28.04.2025

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1. The present writ petition has been filed for directions to the respondent no. 1/Municipal Corporation of Delhi ("MCD"), to demolish the illegal and unauthorized construction being carried out by respondent no. 2 at property bearing no. *B-38-39, Anoop Nagar, Ward No. 116, New Delhi-110059*.

2. Learned counsel for MCD, on advance notice, submits that the unauthorized construction in the property already stands booked on 23rd April, 2025, and he further submits that a Show Cause Notice has already been issued and proceedings, with regard thereto, are pending before the

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Department on 29th April, 2025.

3. Considering the fact that MCD has already initiated proceedings against the unauthorized construction in question, it is directed that the requisite action shall be taken by the MCD, after following the due procedure and in accordance with law.

4. In case, the petitioner is aggrieved by any non-action on the part of respondent/MCD, the petitioner is at liberty to approach the Special Task Force (“STF”) constituted by the Supreme Court, in terms of the directions as passed by the Division Bench of this Court in the cases 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***.

5. In case, the owner/occupier of the property in question is aggrieved by any action of the MCD, he is also at the liberty to seek his remedies in accordance with law.

6. Attention of this Court has been drawn to the photographs, filed along with the present writ petition, wherein, construction material is lying on the public street.

7. Accordingly, MCD is directed to ensure that no construction material is lying on the public street, and to also ensure that the owner/occupier of the property in question, removes the construction material from the public street. Needless to state, the public street is to be maintained hindrance free, for pedestrian and vehicular movement.

8. Respondent no. 3/SHO, is directed to ensure that respondent no. 2, i.e., owner/occupier of the property in question, does the needful.

9. Further, respondent no. 1 and 3 are directed to ensure that no further unauthorized construction takes place, in the property in question.

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10. Noting the aforesaid, the present writ petition, is disposed of.

APRIL 28, 2025

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MINI PUSHKARNA, J

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