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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 5949/2025 & CM APPL. 27186/2025, CM APPL.
27187/2025, CM APPL. 42917/2025

WASEEM RAJA

.....Petitioner

Through: Mr. Mohd. Junaid Ibrahim, Advocate
Mob: 8920227363
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versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents
Through: Mr. Ashutosh Gupta, ASC for MCD
Mr. Ranvir Singh, SPC for R-3
(through VC)

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
22.09.2025

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1. The present writ petition has been filed seeking directions for demolition of the illegal construction in the ground, mezzanine, first, second, third, fourth and fifth floors of the property bearing no. 727, *Sheesh Mahal, Azad Market, Delhi-110006*.
2. A Status Report/Action Taken Report dated 04th August, 2025, has been filed on behalf of Municipal Corporation of Delhi ("MCD"), relevant portions of which read as under:

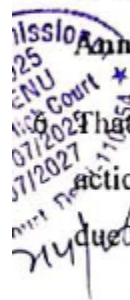
"xxx xxx xxx

3. That it is respectfully submitted during inspection on 20.09.2024 unauthorized construction in the property bearing no.727, Sheesh Mahal, Azad Market, Delhi-06 was noticed accordingly a work stop notice dated 20.09.2024 was issued to SHO P.S. Bara Hindu Road. A copy of work stop notice dated 20.09.2024 is annexed herewith as Annexure-A.



4. That further it is submitted that as per record, the said unauthorized construction in the shape of entire ground floor, mezzanine, first floor, second floor, third floor and walls of the terrace of third floor were booked under section 343 & 344 of the DMC Act vide file no.292/72/B/UC/EE(B)-I/CSPZ/2024 dated 25.09.2024 and after following the due process of law demolition order dated 07.10.2024 was passed. A copy of demolition order dated 07.10.2024 is annexed herewith as **Annexure-B**.

5. That it is submitted that further in continuation of earlier booking the unauthorized construction in the shape of fourth floor of the said property was booked under section 343 & 344 of the DMC Act vide file no.311/72/B/UC/EE(B)-I/CSPZ/2024 dated 08.10.2024 and after following the due process of law demolition order dated 23.10.2024 was passed. A copy of demolition order dated 23.10.2024 is annexed herewith as **Annexure-C**. Further a work stop notice dated 01.11.2024 was issued to SHO P.S. Bara Hindu Rao. A copy of work stop notice dated 01.11.2024 is annexed herewith as **Annexure-D**.



6. That it is submitted that in execution thereof demolition action fixed on 06.01.2025 however action could not be taken due to shortage of time.

7. It is submitted that apart from the above sealing show cause notice was issued on 06.11.2024 and further sealing order was passed on 24.12.2024. In execution thereof sealing programme was fixed on 06.01.2025 & 17.01.2025 however action could not be taken either due to shortage of time or



non-availability of police force. Another sealing programme was fixed on 09.05.2025 wherein mezzanine floor at 02 points, first floor at 02 points & third floor at 03 points was sealed. Further a watch and ward letter dated 21.05.2025 was also issued to the SHO P.S. Bara Hindu Rao to keep strict watch and ward over the sealed premises so that seal is not tampered. A copy of sealing order dated 24.12.2024 and copy of watch and ward letter dated 21.05.2025 are annexed herewith as Annexure E & F respectively. ”

3. Perusal of the aforesaid Status Report shows that the MCD has already initiated action against the unauthorized construction in the property in question.
4. Accordingly, MCD is held bound to take further requisite action against the unauthorized construction existing in the property in question.
5. This Court further notes that an application being CM No. 42917/2025, has been filed on behalf of the petitioner, seeking leave to withdraw the present writ petition, as he does not wish to pursue the present writ petition.
6. Accordingly, with the aforesaid directions, the present writ petition, along with the pending applications, is disposed of.

MINI PUSHKARNA, J

SEPTEMBER 22, 2025
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