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

+ W.P.(C) 6384/2025 & CM APPL. 29185/2025

LIPIKA SUD

.....Petitioner

Through: Mr. Mohd. Umar, Advocate  
Mob: 9873780660

versus

MUNICIPAL CORPORATION OF DELHI & ORS. ....Respondents

Through: Ms. Akanksha Gupta, Advocate for  
MCD

Email:

[advakankshagupta@hotmail.com](mailto:advakankshagupta@hotmail.com)

Mob: 9013799111

Mr. Dhruva Bhagat, Advocate for R-2  
(through VC)

**CORAM:**

**HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER**

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**11.09.2025**

1. The present writ petition has been filed seeking directions to respondent no. 1 to take action against the unauthorized construction being carried out for installation of a lift with a staircase around it, in the property bearing no. W-26, Greater Kailash-II, New Delhi-110048.

2. A Status Report dated 30<sup>th</sup> August, 2025, has been filed on behalf of respondent no. 1-Municipal Corporation of Delhi ("MCD"), wherein, it is stated as follows:

"xxx xxx xxx"



3. That so as to ascertain the status of the subject property i.e. bearing No. W-26, Greater Kailash-II, New Delhi-110048, the same has been got inspected through area filed staff of Building Department –II of South Zone – MCD on 13/06/2025 and 14/06/2025. The photographs taken during the aforesaid inspection and videography made are annexed herewith as **Annexure –A (Colly)** for kind ready reference and perusal of this Hon'ble Court.

On inspection and referring to the record, the status of action as initiated by the Building Department –I of South Zone – MCD is detailed herein below:-

- i. As per record, on obtaining the Sanction Building Plan and comparing the same from site position, the subject property is booked for unauthorized construction vide U/c File No. 173/UC/B-I/SZ/2025 dated 07/08/2025 in the shape of excess coverage / deviation against SBP vide ID No. 441/B/HQ/96 dated 17/05/1996 at Ground floor, First floor, Second floor and Further U/c in the shape of entire of Third floor & porta cabin room at terrace of Third floor, for taking the necessary demolition action u/s 343/344 of DMC Act – 1957. The mandatory Show Cause Notice serial No. 21885 dated 07/08/2025 has also been issued to the owner / occupier of the subject property. Copy



of the Show Cause Notice is annexed herewith as Annexure –B.

ii. Further, in response to the aforesaid Show Cause Notice, a reply from the owner / occupier of Sh. Hemant Sud has been received by the department on 19/08/2025. On examining and considering the same, on the request of the noticee / owner / occupier, in the interest of justice, the opportunity of personal hearing has been extended to Sh. Hemant Sud and Smt. Lipika Sud for 04/09/2025. The copy of the hearing letters as sent in this regard are annexed herewith as Annexure –C (Colly).

4. That further, action in respect of the subject property will be taken / carried out after concluding the hearing proceedings, as per law.

xxx xxx xxx”

3. Perusal of the aforesaid Status Report shows that the MCD has already granted a hearing to respondent no. 2.
4. This Court is informed that the next date of hearing before the MCD for hearing of respondent no. 2, is tomorrow, i.e., 12<sup>th</sup> September, 2025.
5. Accordingly, it is directed that MCD shall conduct the hearing, and pass a Speaking Order therein.
6. Requisite action shall be taken by the MCD, after following the due process of law.
7. However, the MCD shall ensure that no further unauthorized construction takes place in the property in question.
8. Rights and contentions of both the parties are left open.
9. In case, any of the parties are aggrieved by any action or non-action of the MCD, the respective parties shall have liberty to seek their remedies, in accordance with law.



10. With the aforesaid directions, the present petition, along with the pending application, is accordingly disposed of.

**MINI PUSHKARNA, J**

**SEPTEMBER 11, 2025**

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