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

+ W.P.(C) 6572/2025 & CM APPL. 29786/2025

NEELAM DEVI

.....Petitioner

Through: Mr. Brijender Singh Dhull, Adv.

versus

THE COMMISSIONER MCD & ANR.

.....Respondents

Through: Mr. Rajan Tyagi, SC with Mr.
Harpreet Singh Sodhi, Adv. for MCD

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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16.05.2025

1. The present writ petition has been filed for directions to take action against the unauthorized construction being carried out in property bearing No. E-1/27, out of Khasra No. 29/15, Ramphal Chowk, Palam Village, New Delhi.
2. *Per contra*, learned counsel appearing for the Municipal Corporation of Delhi ("MCD"), submits that there are private disputes, which are pending between the petitioner herein, and the owner/occupier of the property in question.
3. He draws the attention of this Court to the averments made in the present writ petition, which clearly show that litigation is pending between the petitioner and the owner/occupier of the plot in question, as regards the ownership of possession.
4. Learned counsel appearing for the MCD submits that Show Cause Notice dated 14th May, 2025, has been issued by the Building Department, Najafgarh Zone, MCD, against the unauthorized construction existing in the



property at ground floor, first floor and second floor.

5. He has handed over copy of the Show Cause Notice dated 14th May, 2025, which is taken on record.

6. Accordingly, it is directed that the MCD shall take requisite action against the unauthorized construction, in accordance with law.

7. This Court notes that owner/occupier of the property in question, has not been made a party in the present proceedings. However, any action to be taken by the MCD shall be after giving due hearing to the owner/occupier of the property, in question.

8. In case the owner/occupier of the property in question is aggrieved by any action taken by the MCD, he shall be at liberty to seek remedies, in accordance with law.

1. Likewise, in case the petitioner has any further grievance against the MCD as regards any non-action by the MCD against the unauthorized construction, the petitioner shall be at liberty to approach the Special Task Force (“STF”), constituted by the Supreme Court, in terms of directions of the Division Bench in terms of the orders passed 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***.

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

MINI PUSHKARNA, J

MAY 16, 2025/kr