



\$~71

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

+ W.P.(C) 6573/2025 & CM APPL. 29788/2025

MOHD. NASIR

.....Petitioner

Through: Mr. Mohd. Babar, Adv. with
petitioner in person

versus

MUNICIPAL CORPORATION OF DELHI AND
ORS.

.....Respondents

Through: Mr. Akshay Verma, Adl. SC for R-1.
Mr. Avtaar Singh Deol, Adv. for R-2
Ms. Prabhsahay Kaur, SC with Ms.
Harshita Rai and Ms. Kavya Shukla,
Advs. for STF
Mr. Shiv Shakar Parashar, Adv. for
owner of the property.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
16.05.2025

%

1. The present writ petition has been filed alleging unauthorized and illegal construction being carried out by respondent nos. 4 to 6, in property of the petitioner, i.e., *D-464, Khasra No. 698/697, area measuring 100 sq. yds., near Rampali School, Jaitpur Extension Part-II, New Delhi-110044.*
2. Learned counsel appearing for the petitioner submits that petitioner is a *bonafide* purchaser of 100 sq. yds. vacant plot, which was bounded by the petitioner. However, the said boundary has been destroyed by the respondent nos. 4 to 6, and they have illegally encroached and started



construction without any site plan or sanction plan, from the Municipal Corporation of Delhi (“MCD”).

3. Learned counsel appearing for respondent no.1, on advance notice, upon instructions, submits that the property in question was inspected on 13th May, 2025, after which, Work Stop Notice was issued to Police Station, Kalindi Kunj.

4. It is further submitted that the said property has already been booked for unauthorized construction from ground floor to fourth floor, on 15th May, 2025.

5. This Court notes that in the present writ petition, the petitioner has raised dispute as regards the title and possession of the property in question, which cannot be adjudicated by this Court in the writ proceedings.

6. Accordingly, liberty is granted to the petitioner to seek remedies, by initiating appropriate civil proceedings.

7. In view of the submissions made by learned counsel appearing for the MCD, upon instructions, it is directed that the MCD shall take requisite action against the unauthorized construction existing in the property in question, after following due process of law.

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

MINI PUSHKARNA, J

MAY 16, 2025/kr