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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 6711/2025 & CM APPL. 30425/2025, CM APPL.
30426/2025

SAMEER HASAN AND ORSPetitioners
Through: Mr. M. K. Sharma, Ms. Vishakha,
Mr. Anuj, Mr. Abhishek Chaudhary,
Advocates (M:7838888619)
versus

MUNICIPAL CORPORATION OF DELHI (WEST ZONE)
THROUGH ITS COMMISSIONER AND ORSRespondents
Through: Mr. Abhinav Singh, ASC-MCD with
Mr. R.D. Chaudhary, AE-West Zone.
(M:9811188892)

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
21.05.2025

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1. The present petition has been filed challenging the Vacation Notice dated 09th May, 2025, issued by the respondent no.1 under Section 349 of the Delhi Municipal Corporation Act, 1957, with respect to the property bearing no. *D-17, Hari Nagar Clock Tower, New Delhi-110064*.
2. Learned counsel for the petitioners submits that before the issuance of the Vacation Notice, other documents like Show Cause Notice or Demolition Order, have not been served upon the petitioners.
3. However, the aforesaid fact is disputed by learned counsel for the respondents/Municipal Corporation of Delhi ("MCD").
4. Be that as it may, it is directed that all the documents pertaining to the Demolition Order having been passed by the MCD for demolition of the



unauthorized construction in the property in question, be supplied to learned counsel for the petitioners, during the course of the day.

5. The petitioners are granted liberty to approach the Appellate Tribunal MCD (“ATMCD”), to seek their remedies in accordance with the law.

6. However, it is clarified that this Court has not expressed any opinion as regards the contentions made on behalf of the petitioners that they have not been provided with the documents regarding the Demolition Order, previously.

7. Rights and contentions of both the parties are kept open, including the issue of limitation, which shall be decided by the ATMCD.

8. At this stage, learned counsel for the petitioners submits that she may be granted two weeks’ time to file an appeal before the ATMCD, and prays that limited protection be granted to the petitioners for a period of two weeks.

9. In order to allow the petitioners to approach ATMCD, it is directed that no coercive action shall be taken against the petitioners for a period of two weeks. However, it is clarified that, in case, the appeal is not filed by the petitioners before the ATMCD within the time granted by this Court, the protection granted by this Court shall automatically lapse.

10. Accordingly, with the aforesaid directions, the present writ petition, along with pending applications, is disposed of.

MINI PUSHKARNA, J

MAY 21, 2025

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