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

+ W.P.(C) 6684/2025

SUNNY KUMAR

.....Petitioner

Through: None.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Aditya Chaudhary, Advocate for
R-1

Mob: 9999182182

Mr. Lalit Kumar Dixit and Mr. A.K.
Dewan, Advocates for R-3 (through
VC)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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15.09.2025

1. None appears for the petitioner when the matter is called out.
2. None had appeared for the petitioner even on the last date of hearing.
3. The present writ petition has been filed seeking directions to the respondents to demolish the illegal and unauthorized construction being carried out in property bearing Nos. 4291-4292, *Gali Barna, Pahari Dhiraj, Delhi-110006*, by merging four different properties into one single unit.
4. A Status Report dated 09th August, 2025 has been filed on behalf of Municipal Corporation of Delhi ("MCD"), wherein, it is stated as follows:



3. That it is respectfully submitted that as per record the unauthorized construction in the shape of ground floor, first floor and second floor of property no. 4291-92, Gali Barna, Basti Nandram, Pahadi Dheeraj, Sadar Bazar, Delhi was booked vide file no.209/72/B/UC/EE(B)-I/CSPZ/2024 dated

02.07.2024 under section 343 & 344 of the DMC Act and a Show Cause notice dated 02.07.2024 was issued to the Sh. Shunil (Owner) thereby directed to Show Cause as to why demolition order be not passed in respect of aforesaid unauthorized construction. Thereafter, a work stop notice vide no. D/AE(B)-I/CSPZ/2024/528 dated 02.07.2024 was issued to the SHO P.S. Sadar Bazar to ensure that no further unauthorized construction is carried out in the property in question. A copy of work stop notice dated 02.07.2024 is annexed herewith as **Annexure-A**.

4. That it is submitted that after following the due process of law demolition order dated 16.07.2024 was passed by quasi judicial authority thereby directing the Sh. Shunil (Owner) to demolish the booked unauthorized construction within 06 days. A copy of demolition order dated 16.07.2024 is annexed herewith as **Annexure-B**.

5. That it is submitted that in execution thereof demolition programme was fixed on 07.08.2024 however action could not be taken due to shortage of time. Another programme was fixed on 28.08.2024 wherein roof slab of second floor was demolished partially. Photographs showing demolition action taken on 28.08.2024 are annexed herewith as **Annexure-C (Colly)**.



6. That it is submitted that further demolition programmes were fixed on 10.12.2024, 18.02.2025 and 20.03.2025 however action could not be taken either due to shortage of time or non-availability of police force. In continuation thereof another programme was recently fixed on 06.08.2025 however same could not be executed due to non-availability of police force on account of deployment at Red Fort for the function of 15th August. Further action in the matter shall be taken in due course of time in accordance with law and as per schedule.
5. Perusal of the aforesaid Status Report shows that the MCD has already initiated action against the unauthorized construction existing in the property in question. Accordingly, MCD is held bound to take action, in accordance with law.
6. In case, any of the parties are aggrieved by any action or non-action on the part of the MCD, their right is reserved to seek remedies, in accordance with law.
7. With the aforesaid directions, the present writ petition is accordingly disposed of.

MINI PUSHKARNA, J

SEPTEMBER 15, 2025

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