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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 6801/2025, CM APPL. 30842/2025, CM APPL. 56530/2025,
CM APPL. 56531/2025, CM APPL. 56532/2025 & CM APPL.
56533/2025

KAMSAR OLD AGE AND ORPHAN FOUNDATION
(REGD).

.....Petitioner

Through: Mr. Aditya Gaur, Adv. (Through VC)
versus

COMMISSIONER OF POLICE & ORS.

.....Respondents

Through: Mr Mayank Sharma, SPC with Mr.
Anshul Kulshrestha, Adv. and SI
Manish Yadav for R-1 and 2
Mr. D. Hasija, Ms. Prachi Hasija and
Mr. Dev Hans Kasana, Adv. for R-4
Mr. Gaganmeet Singh Sachdeva, SC
with Mr. Harshpreet Singh Chadha
and Mr. Hridyesh Khanna, Adv. for
MCD
Mr. Bhuvneshwar Tyagi, Adv.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
09.09.2025

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1. The present writ petition has been filed seeking directions to respondent nos. 1 to 3, to take action against the unauthorized construction in the property measuring 1500 sq. yds., situated at *Khasra No. 883, Revenue Estate of Satbari, Village Kharak, Chattarpur, New Delhi-110074.*
2. Learned counsel appearing for respondent no. 4 submits that respondent no. 4 has no connection with the property in question. He submits that the property in question does not even belong to the petitioner.



3. Learned counsel appearing for respondent no. 4 has placed on record certain title documents to submit that the owner of the property in question is not the petitioner, but some third party.

4. This Court notes that a Status Report dated 01st September, 2025, has been filed on behalf of the 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. Khasra No. 883, Revenue Estate of Satbari, Village Kharak, Chattarpur, New Delhi -110074, efforts were made initially to ascertain the status of land regarding its jurisdiction whether it is D.D.A. or M.C.D., for which relevant record was got searched. The site has been got inspected through area field staff of Building Department –II of South Zone – MCD and also referred to the record maintained and available with the department, but there was nothing found to establish the jurisdictional authority for taking actions against the unauthorized constructions.

On inspection and referring to the record, the area field staff of Building Department –II -South Zone – MCD has identified the subject property as Opposite House No. 57, Khasra No. 883, Revenue Estate Satbari, Village Kharak, Chattarpur, New Delhi The status of actions as initiated / taken by the department are detailed herein below:

i) As per record, this property is booked for unauthorized construction vide U/c file No. 505/UC/B-II/SZ/2025 dated 26/08/2025 in the shape of Stilt and Ground floor, for taking the necessary demolition action u/s 343/344 of DMC Act. The requisite Show Cause Notice vide serial No. 22030 dated 26/08/2025 has also been issued to the owner / occupier of the subject property. The copy of the said Show Cause Notice is annexed herewith as **Annexure –A.**



- ii) Furthermore, a letter dated 28/08/2025 u/s 344 (2) of the DMC Act – 1957 has also been sent to SHO, PS. Mehrauli, New Delhi with the request that the said unauthorized construction be stopped immediately and workmen present at site / property in question be removed and construction material including the tools, machinery, etc. be seized. Copy of letter as sent in this regard is also annexed as **Annexure – B.**
- iii) Besides this, a letter dated 28/08/2025 for disconnection of Electricity and Water supply from the aforesaid property has also sent to the concerned authorities. Copy of the said letter is annexed herewith as **Annexure – C.**
- iv) Moreover, a letter dated 28/08/2025 has also been sent to the Sub-Registrar with the request not to register the property under Indian Registration Act, 1908. Copy of the said letter is also annexed herewith as **Annexure – D.**
- v) Furthermore, it is also relevant to point out that in respect of this property, the necessary sealing proceedings u/s 345-A of DMC Act – 1957, has also been initiated.
- vi) Further, so as to ascertain the latest site position, the same has been got inspected through area field staff of Building Department –II of South Zone – MCD and on inspection, no new construction activity has been noticed and the same has been



found lying stopped. The photographs showing the latest site position are annexed herewith as **Annexure –E (Colly).**

4. That further action in respect of the subject property will be taken / carried out in due course of time, as per law.

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xxx xxx xxx”

5. Perusal of the said Status Report filed on behalf of the MCD shows that the MCD has already initiated action against the unauthorized construction in the property in question.

6. Learned counsel appearing for respondent nos. 1 and 2, i.e., Delhi Police, has also handed over a copy of a Status Report dated 02nd September, 2025, which is taken on record, and the same reads as under:

“xxx xxx xxx

9. *No new Unauthorized construction was found at Khasra No. 883, Revenue states of Satbari Village Kharak, Chattarpur, New Delhi.*

xxx xxx xxx”

7. Thus, as per the Status Report of the Delhi Police, no new unauthorized construction was found in the property in question.
8. Considering the Status Report of the MCD that unauthorized construction existing in the property in question has already been booked, it is directed that requisite action shall be taken by the MCD, in case of any further unauthorized construction in the property in question.
9. It is clarified that this Court has not gone into the issue of the title or ownership of the property in question.
10. Noting the aforesaid, the present writ petition, along with the pending



applications, stands disposed of.

MINI PUSHKARNA, J

SEPTEMBER 9, 2025/KR