



\$~66

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 7192/2025 & CM APPL. 32380/2025, CM APPL. 32381/2025

SANJAY KUMAR

.....Petitioner

Through: Mr. Umang Tyagi, Mr. Hardik Saxena, Mr. Zuber Ali & Ms. Diksha Puniya, Advs (M: 9999178173) (office@umangtyagi.com)

versus

MUNICIPAL CORPORATION OF DELHI AND ORS.

.....Respondents

Through: Mr. Mukesh Gupta, Mr. Sachin Singh Shahi, Ms. Shashi Gupta & Mr. Arnav Gupta, Advs for MCD (6398396980) (m.guptaadvocate@yahoo.in)
Ms. Shashi Pratap Singh, Ms. Aishwarya Bhatia & Ms. Muskaan Garg, Advs for R-3 (M: 9560536975), (shashipratapadv@gmail.com)
Mr. Nawal Kishore Jha, SPC with Ms. Kalpana Jha, Adv for UOI/R-4 (M:9810442918) (nawalkishorejha@live.com)
Mr. Rohit Pal & Mr Deepak, Advs for R-5 (M: 971652891), rohitpaul385@gmail.com.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

%

26.05.2025

W.P.(C) 7192/2025 & CM APPL. 32380/2025 (stay)

1. The present petition has been filed seeking directions to the



respondent nos. 1 and 2, to take appropriate action against the illegal and unauthorized construction being undertaken by respondent no.5 at the property bearing no. *House No. 431, Gali No. 14/1, Block-A, Kamal Vihar, Kamalpur, Burari, Delhi-110084*.

2. Responding to the present petition, learned counsel appearing for respondent nos. 1 and 2-Municipal Corporation of Delhi (“MCD”), has handed over a copy of Work Stop Notice issued today, i.e., 26th May, 2025, by the Office of Building Departments, Civil Line Zone, Delhi, and further submits that the property has also been booked today for the authorized construction.

3. Learned counsel appearing for respondent no.4, i.e., Station House Officer (“SHO”), PS Burari, Delhi, submits that the local police shall ensure that no further unauthorized construction takes place in the property in question.

4. Learned counsel appearing for respondent no.5 has put in appearance and submits that no ongoing construction is present in their property in question.

5. This Court notes the aforesaid statement and the same is taken on record and thereby, respondent no.5 is held bound by the statement that there is no ongoing construction in the premises in question.

6. Accordingly, respondent no.5 is directed not to carry out any further construction in the property in question, except with the previous permission of the MCD, and in accordance with law.

7. Learned counsel appearing for respondent no.3, i.e., Special Task Force (“STF”) submits that STF is duly monitoring the matter.

8. Accordingly, it is directed that the respondent/MCD, shall take action



against the unauthorized construction existing in the property, in accordance with law. The action taken by the MCD shall be duly uploaded on the website of STF.

9. In case, the petitioner is aggrieved by any non-action on the part of MCD, the petitioner is at liberty to approach the Special Task Force (“STF”) constituted by the Supreme Court, 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***.

10. With the aforesaid directions, the present writ petition alongwith pending applications, is accordingly, disposed of.

MINI PUSHKARNA, J

MAY 26, 2025

sk