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

+ W.P.(C) 8180/2024 & CM APPL. 33574/2024

ARUN MEHTA

.....Petitioner

Through: Mr. Deepanshe Devel, Adv. (Through VC)

versus

MUNICIPAL CORPORATION OF DELHI AND
ORS.

.....Respondents

Through: Mr. Abhishek Mahajan, Adv. for R-1
Mr. Manashwy Jha, PC (Civil),
GNCTD for R-2 (Through VC)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

18.11.2025

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1. The present writ petition has been filed seeking directions to demolish the unauthorized construction/encroachment at property bearing Nos. 1968/1-A-1 and 1968/1-A/B, near DCP Office East, Bhola Nath Nagar, Shahdara, Delhi-110032.

2. Latest Status Report has been filed on behalf of the Municipal Corporation of Delhi ("MCD"), the relevant portions of which, read as under:

"xxx xxx xxx"



4. That, as per record, Sh. Arvind Kumar, Owner/Occupier of the property obtained an online intimation/ acknowledgement under “**SARAL SCHEME**” through Regd. Architect vide request ID No.20021932 dated 12.07.2025 alongwith building plan for construction of Stilt, Ground Floor, First Floor, Second Floor & Third Floor at plot bearing No.1968/1-A and 1968/1A/B Shalimar Park Bhola Nath Nagar Illaqa Shahdara Delhi which is valid for five years. Copy of online intimation/ acknowledgement under “**SARAL SCHEME**” is annexed as **Annexure ‘A’**.
5. That the property in question i.e. 1968/1-A and 1968/1A/B, Shalimar Park, Bhola Nath Nagar, Shahdara, Delhi was inspected by the area Junior Engineer(Building) concerned on 29.08.2025. During the inspection, it was noticed that the old existing structure of property bearing No.1968/1A/B, Shalimar Park, Bhola Nath Nagar, Shahdara, Delhi is partially demolished by the owner/builder himself. Photograph was also taken during the inspection and the same is annexed as **Annexure ‘B’**.
6. That, a letter dated 07.08.2025 was submitted by Sh. Jitender Sanoriya, MCD Approved Supervisor (License No.S/00341) regarding withdrawal the Supervision as the Architect, Structure Engineer & Supervisor for Request ID-20021932 against property bearing No.1968/1-A & 1968/1A/B, Shalimar Park,



Bhola Nath Nagar, Illaqa Shahdara, Delhi-110032. Sh. Jitender Sanoriya has stated in his letter that he was appointed as Architect for the above said property and made the sanction for the above said property. However, later the building was not made under his supervision, thus, he states that he no longer is the architect of this building and his Structure Engineer Nitin Kumar (SE/0726) also does not supervise the said building. Sh. Jitender Sanoriya has further sought to withdraw his supervision from the above said property.

7. That, in these circumstances, a Work Stop Notice dated 12.08.2025 was issued and served to Sh. Arvind Kumar/Owner/Occupier/Builder in respect of property bearing No.1968/1-A and 1968/1A/B, Shalimar Park, Bhola Nath Nagar, Shahdara, Delhi with directions to stop the construction activity until empanelled professional Architect is engaged for proper supervision of construction activity in accordance with law. Copy of Work Stop Notice dated 12.08.2025 is annexed as **Annexure 'C'**.

Deponent

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3. Perusal of the aforesaid Status Report shows that the existing structure in the property in question, i.e., property bearing No. 1698/1-A/B, *Shalimar Park, Bhola Nath Nagar, Shahdara, Delhi*, was demolished by the owner/builder himself. Subsequently, a Sanctioned Building Plan was obtained by the owner/occupier of the said property from the online process under SARAL Scheme. However, subsequently, upon inspection, it was found that the construction was being carried out without supervision of a Structure Engineer/Supervisor. Thus, Work Stop Notice dated 12th August, 2025 was issued by the MCD to the said owner/occupier.



4. Today, learned counsel appearing for the respondent-MCD, on instructions, submits that no construction is being carried out at the property in question and the work remains stopped therein.
5. He further submits that a Show Cause Notice has also been issued against the property in question, to show cause as to why the said Sanctioned Building Plan, should not be revoked.
6. He further submits that the MCD has already taken cognizance of the construction in the property in question and that action shall be taken after following the due procedure and in accordance with law.
7. Accordingly, considering the submissions made before this Court, the MCD is held enjoined upon to ensure that no unauthorized construction takes place in the property in question and that any construction to be carried out in the property, is only in accordance with a Sanctioned Building Plan.
8. This Court also takes note of the submission made on behalf of the MCD in the Status Report, wherein, it is stated that the old existing structure of the property already stands partially demolished.
9. Accordingly, in case of any deviation/excess coverage/unauthorized construction in the property in question, the MCD is held bound to take further action in accordance with law.
10. In case, the petitioner or owner/occupier of the property in question, are aggrieved by any action or non-action on the part of the MCD, their right to seeks remedies, in accordance with law, is reserved.
11. With the aforesaid directions, the present writ petition, along with the pending application, is accordingly disposed of.

MINI PUSHKARNA, J

NOVEMBER 18, 2025/KR