



\$~16

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

+ **W.P.(C) 7531/2025 & CM APPL. 33620/2025**

MOHD SAMI

.....Petitioner

Through: Mr. Samar and Ms. Shaziya, Advs.

versus

THE COMMISSIONER OF MCD & ORS.

.....Respondents

Through: Mr. Anshuman, SPC for R-2

M: 9818571429

Mr. Ashutosh Gupta, ASC for MCD
(Through VC)

M: 9891826827

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

%

28.05.2025

1. The present writ petition has been filed seeking directions against the respondent nos. 1 and 2 to take action against the unauthorized and illegal construction at *property bearing No. 2704, Gali Changa Mal, Gali Badliyan Churiwalan, Delhi-110006*.
2. Issue notice. Notice is accepted by learned counsel appearing for respondent nos. 1 and 2.
3. Learned counsel appearing for Municipal Corporation of Delhi ("MCD"), submits that the unauthorized construction in the property in question, already stands booked and a Demolition Order dated 26th February, 2025, has also been passed against the said unauthorized



construction. He submits that the MCD contemplated action against the said unauthorized construction thrice. However, on account of non-availability of police assistance, the requisite action could not be taken.

4. He further submits that the next action for demolition against the said unauthorized construction is now fixed for 02nd June, 2025.

5. Accordingly, it is directed that the Station House Officer (“SHO”) of Police Station Chandni Mahal, shall co-operate and provide requisite police assistance to the MCD, on the dates when action is fixed by the MCD, for taking appropriate action against the unauthorized construction in question.

6. The MCD shall take requisite action, in accordance with law.

7. The rights and contentions of the parties are left open.

8. In case, the owner/occupier of the property in question is aggrieved by any action of the MCD, he is at liberty to seek his legal remedies.

9. Needless to state, in case, the petitioner is aggrieved by any non-action by the 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, along with the pending application, stands disposed of.

MINI PUSHKARNA, J

MAY 28, 2025/KR