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

+ W.P.(C) 7708/2025

MUSHARRAF HASAN

.....Petitioner

Through: Mr. Jibran, Advocate
(Mob:7011868864)

versus

MCD & ORS.

.....Respondents

Through: Mr. Harshit Chopra, Mr. Gaurav
Kumar, Advocates for R-1/2
(M:9911543883)
Mr. Gaurav Mishra, SPC-UOI with
Ms. Priyanka Tiwari, Mr. Aryan
Gupta, Advocates for R-3
(M:9871716801)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
28.05.2025

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1. The present writ petition has been filed seeking directions to the respondent nos. 1 to 3 to take appropriate action against respondent no. 4, thereby, stopping the illegal and unauthorized construction being raised by him in the property bearing no. 1378, Gali no. 47, Jafrabad, Delhi-110053.
2. Responding to the submissions made in the present petition, learned counsel for respondent no.1/Municipal Corporation of Delhi ("MCD"), submits that the unauthorized construction, in the property in question, already stands booked on 26th May, 2025.
3. He further undertakes and assures this Court that requisite action shall be taken after, following the due process of law.
4. Accordingly, MCD is held bound to take action against the



unauthorized construction after following the due process of law.

5. It is further directed that any unauthorized construction that is being carried out in the property in question, shall be stopped forthwith.

6. The concerned officials of the MCD, as well as Station House Officer (“SHO”), Jafrabad, are held personally liable to ensure that no unauthorized construction takes place in the property in question.

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

8. Needless to state that rights and contentions of all the parties are left open.

9. In case the owner/occupier of the property in question, has any grievance against the action taken by the MCD, he has liberty to seek his remedies in accordance with law.

10. With the aforesaid directions, the present petition is disposed of.

MINI PUSHKARNA, J

MAY 28, 2025

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