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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 8598/2024, CM APPL. 35217/2024, CM APPL. 41143/2024
CM APPL. 30928 /2025
VIKAS CHAUDHARYPetitioner

Through: Mr. Ramneek Mishra, Mr. Rupinder Pal
Singh and Mr. Vikas Chaudhary,
Advocates with petitioner in person.
Mob: 9891598912

versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondents
Through: Mr. Ajjay Aroraa, Senior Advocate with
Mr. Kapil Dutta, Advocate and Mr.
Vansh Luthra, Advocate and Mr.
Bhushan Kumar, Executive Engineer,
Building-I, Central Zone, MCD.
Mob: 9811135509
Email: kapilduttamcd@gmail.com

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
20.05.2025

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CM APPL. 30928 /2025

1. The present application has been filed on behalf of the petitioner seeking correction in address of the property, subject matter of the present writ petition.
2. Learned counsel appearing for the petitioner submits that the present petition has been filed for taking action against the unauthorized and illegal construction on the property bearing no. 84-C, Bharat Nagar, New Friends Colony, New Delhi-110025.



3. It is submitted that now the petitioner has got information that the property in question, which is subject matter of the present writ petition, is property bearing no. 84-C/1, as the same is located on *Khasra no. 13/23 & 13/23/4*.

4. For this purpose, the petitioner also relies upon Sale Deed, which is purported to be of the property in question.

5. Responding to the same, learned Senior Counsel appearing for respondent no. 1, submits that the Municipal Corporation of Delhi (“MCD”) has no objection if the present application is allowed, as in the colony in question, private numbers are given by respective parties.

6. He submits that since there is no ambiguity as regards the identity of the property, mere difference in the address of the property, which is subject matter of the present petition, would have no bearing on the present case.

7. Noting the aforesaid, the present application is accordingly disposed of.

W.P.(C) 8598/2024

8. The present petition has been filed seeking directions to the respondent nos. 1 and 2 to take appropriate steps with regard to stopping and demolishing the illegal and unauthorized construction carried out by respondent no. 3 in property bearing no. 84-C, *Bharat Nagar, New Friends Colony, New Delhi-110025*.

9. It is noted that *vide CM APPL. 30928/2025*, it has been brought forth that the property in question, which is subject matter of the present writ petition, is also identified as plot no. 84-C/1, *Bharat Nagar, New Delhi-110025*.

10. When the present matter was listed on 7th April, 2025, the following



order, had come to be passed:

“1. Learned Senior Counsel appearing for the respondent-Municipal Corporation of Delhi (“MCD”), has handed over photographs to this Court to show that unauthorized construction in the property bearing no. 84-C, Bharat Nagar, New Friends Colony, New Delhi-25.

2. Per contra, Mr. Gautam Narayan, learned Senior Counsel appearing for the petitioner submits that the pillars and other structure, still remain in the property, which also need to be removed.

3. It is submitted that complete basement, still exists in the property in question.

4. At this stage, learned Senior Counsel appearing for the MCD submits that it is not possible to demolish the basement, as it supports the adjoining buildings. However, he submits that the basement shall be filled, so that it is not usable.

5. He further submits that the standing pillars shall also be removed.

6. Accordingly, let the needful be done before the next date of hearing, and photographs with regard thereto, be brought before this Court.

7. Re-notify on 20th May, 2025.”

11. Pursuant to the aforesaid order, a compliance report dated 14th May, 2025, has been filed on behalf of the MCD, wherein, it has been stated as follows:

“xxx xxx xxx

2. That on the last date of hearing i.e. on 07/04/2025, the counsel for the petitioner rose following two issues:-

i) The pillars and other structure still remain in the property, which needs to be removed.

ii) Complete basement still exists in the property, in question.

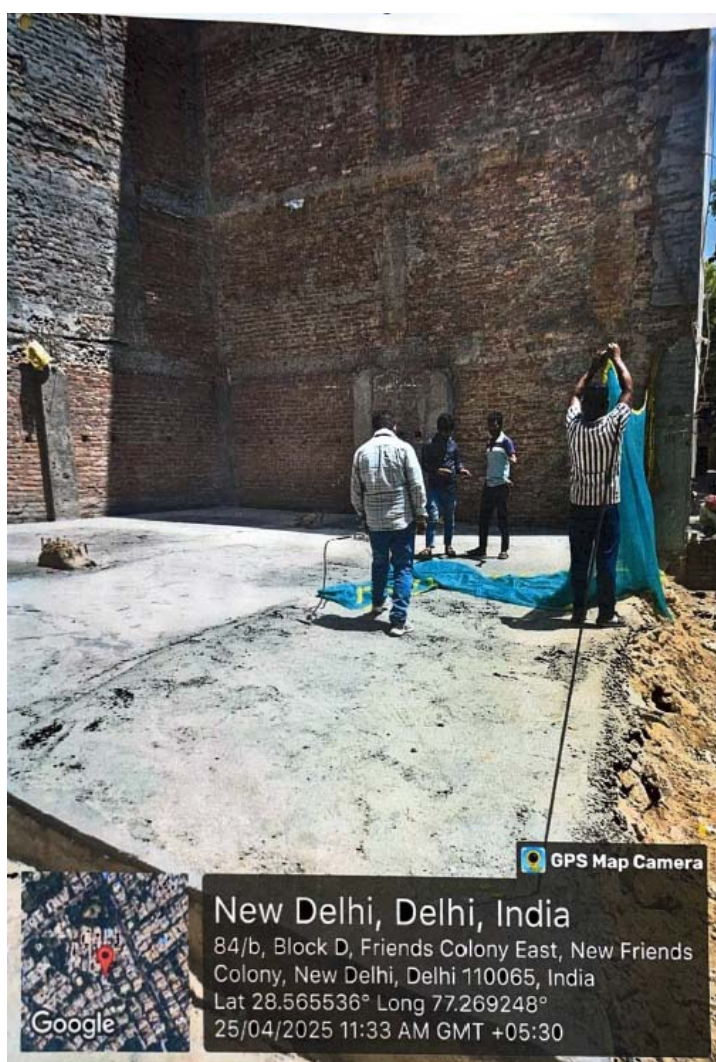
The answering respondent assured to this Hon'ble Court that remaining standing pillars shall also be removed. As regards basement, it was submitted that it is not possible to demolish the basement as it supports the adjoining buildings. However, the basement shall be filled so that it is not usable. The Hon'ble accordingly directed let the needful be done before the next date of hearing and photographs with regard thereto, be brought before this Court.



3. That it is most respectfully submitted that answering respondent has demolished/removed remaining pillars except those which are erecting along the structures of adjoining buildings to ensure the safety of structures of adjoining building. The answering respondent also filled up the basement and closed the same with cement concrete and also sealed the site. Photographs showing overall view of the building are annexed herewith as **Annexure-A (Colly)**.

xxx xxx xxx”

12. Attention of this Court has also been drawn to the photographs attached with the compliance report of MCD, which is reproduced as under:



13. By reference to the aforesaid compliance report, as well as the photographs attached along with the compliance report, learned Senior



Counsel appearing for the respondent-MCD, submits that basement has now been filled with concrete and *malba*.

14. He submits that after filling the basement, the same has been cemented and plastered from the top, so that the same cannot be used.

15. This Court notes the submission made on behalf of learned counsel appearing for the petitioner, wherein, the petitioner has relied upon the orders dated 16th July, 2024, 5th August, 2024 and 17th September, 2024, passed by the Predecessor Bench of this Court.

16. Considering the submissions made before this Court, this Court is satisfied that complete action for removal of the unauthorized construction, has been taken by the MCD.

17. In case, the petitioner has any grievance with regard to any non-compliance by the MCD, as regards the aforesaid orders dated 16th July, 2024, 5th August, 2024 and 17th September, 2024, passed by the Predecessor Bench of this Court, the petitioner is at liberty to file fresh proceedings, with regard thereto.

18. Accordingly, no further orders are required to be passed in the present writ petition. The present writ petition, along with the pending applications, are accordingly, disposed of.

MINI PUSHKARNA, J.

MAY 20, 2025/ ak