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

+ **W.P.(C) 8109/2025 & CM APPL. 35441/2025**

CHETNA SHARMA

.....Petitioner

Through: Mr. Saurabh Kansal, Mr. Suraj Kumar Jha and Mr. Pratha Malik, Advs. along with petitioner in person.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Abhishek Mahajan, Adv. for R-1/MCD

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Mr. Gaganmeet Singh Sachdeva, Mr. Harshpreet Singh Chadha and Mr. Hridyesh Khanna, Advs. for R-DDA

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Mr. Tarun Narang, Mr. Keshav Pawar and Ms. Vidhi Taauk, Advs. for R-3 to 5

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Mr. Shantanu Bhardwaj, Adv. for R-4 (Through VC)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER



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11.09.2025

1. The present writ petition has been filed seeking directions to respondent nos. 1 and 2, to take action against the illegal and unauthorized construction existing in property bearing house nos. 146, 148 and 150, Site-2, Vikaspuri, New Delhi-110018.

2. This Court notes that a Status Report dated 31st August, 2025 has been filed on behalf of the Municipal Corporation of Delhi ("MCD"), wherein, it is stated as follows:

5. That as per record maintained by the answering respondent No.1/MCD i.e. building department-II, West Zone in respect of below mentioned properties are as under:-

- (i) **Property No. 148, Site-II, Vikaspuri, New Delhi:-** That the aforementioned property has been booked for unauthorized construction vide file No. EE (B)-II/WZ/UC/2025/78 dated 13.06.2025 in the shape of rooms by extension of flat No. 148, Site-II, Vikaspuri, New Delhi at Ground Floor (residentially occupied). Simultaneously, the show cause notice was issued to Sh. Sanjay/Owner/Occupier on 13.06.2025. Subsequently, the reply to the aforesaid show cause notice was received in the department on 26.06.2025 through which the owner of





aforesaid property have requested that he may be provided personal hearing in the matter. His request was considered and an opportunity of personal hearing was fixed for 11.07.2025. The said hearing is under process. Copy of show cause notice dated 13.06.2025 is annexed herewith as Annexure 'A'.

(ii) **Property No. 150, Site-II, Vikaspuri, New Delhi:-** That the aforementioned property has been booked for unauthorized construction vide file No. EE (B)-II/WZ/UC/2025/79 dated 13.06.2025 in the shape of rooms by extension of flat No. 150, Site-II, Vikaspuri, New Delhi in the shape of extension of flat No.150 in the shape of rooms & balcony at First Floor & unauthorized construction in the shape Second Floor (residentially occupied). Simultaneously, the show cause notice was issued to Sh. Damodar Sahoo/Owner/Occupier on 13.06.2025. Subsequently, the reply to the aforesaid show cause notice was received in the department on 26.06.2025 through which the owner of aforesaid property have requested that he may be provided personal hearing in the matter. His request was considered and an opportunity of personal hearing was fixed for 11.07.2025. The said hearing is under process. Copy of show cause notice dated 13.06.2025 is annexed herewith as Annexure 'B'.

(iii) **Property No. 146, Site-II, Vikaspuri, New Delhi:-** That an inspection of the aforesaid property was made by the concerned officials of the building department-II, West Zone/MCD on 13.06.2025. However, during inspection no



unauthorized construction in the aforesaid flat could be ascertained.

6. That further action shall be taken in due course of time as per DMC Act, accordance with law.

3. Perusal of the aforesaid Status Report filed on behalf of the MCD, shows that MCD has already initiated action and hearing is being granted to the owner/occupier of the properties in question.

4. Accordingly, it is directed that requisite action shall be taken by the MCD, after following the due procedures and in accordance with law.

5. In case, any of the parties are aggrieved by any action or non-action on the part of the MCD, their rights to seek remedies, in accordance with law, are reserved.

6. Rights and contentions of all the parties are kept open.

7. Noting the aforesaid, the present writ petition along with the pending application, is accordingly disposed of.

MINI PUSHKARNA, J

SEPTEMBER 11, 2025/SK