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

+ W.P.(C) 9015/2025

ASHOK

.....Petitioner

Through: Mr. Kamal Jindal and Mr. Deeksant
Kaushik, Advocates (M:9818369860)

versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondents

Through: Mr. Harshit Chopra, Advocate for R-
1/MCD (M:9911543883)

Mr. P.S. Singh, CGSC with Mr.
Rajneesh Sharma, Ms. Meenakshi
Singh, Mr. Ashutosh Bharti, Mr.
Kumar Saurabh, Advocates for R-4
(M: 9810282890)

Mr. N.P. Singh, Advocate for R-5
(M:9313131283)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

10.09.2025

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1. The present writ petition has been filed seeking directions to respondent nos. 1 to 4, for taking action against the unauthorized construction being carried out by respondent no. 5 in part of the property bearing no. 267, *Khasra No. 159, Sukkar Bazar Road, Kuan Wali Gali, Chauhan Patti, Delhi-110094, admeasuring 100 sq. yards.*

2. Learned counsel for the respondent nos. 1 to 3-Municipal Corporation of Delhi ("MCD") draws the attention of this Court to the Status Report dated 21st August, 2025, filed on behalf of the MCD, relevant portions of which, read as under:



“xxx xxx xxx

3. It is also reported that the property in question in the shape of entire GF & raising of columns at FF with projection on Mpl./Govt. Land has been booked vide booking file No. 65/B-II/UC/SH-N/2025

dated 01.07.2025 as constructed without building sanction plan. The show cause notice dated 01.07.2025 under section 343 & 344 (i) of the DMC Act was duly sent to Sh. Shivam / Sh. Sunder, Owner/Builder vide speed post dated 03.07.2025. However no reply of the show cause notice was received within stipulated time period. Hence Order of the Demolition of the Building dated 22.07.2025 u/s 343 of the DMC Act was duly sent vide speed post dated 24.07.2025 to Sh. Shivam / Sh. Sunder for compliance of the same within stipulated period. However, he neither complied with the above demolition notice/order nor submitted any reply to the same within stipulated period. Hence the orders for demolition of above said unauthorized construction was passed on 06.08.2025. On 19.08.2025, demolition action was taken in shape of demolition of RCC panel at roof of ground floor at backside and cutting of MS bars with gas cutter of the same. Demolished RCC Chajja at front side and cutting of MS bars by gas cutter.

xxx xxx xxx”

3. Perusal of the aforesaid Status Report shows that the MCD has already passed a Demolition Orders with respect to the unauthorized construction existing in the property in question, and demolition action has already been taken on 19th August, 2025.
4. This Court also takes note of the submissions made by learned



counsel for the MCD that a Watch and Ward Letter dated 20th August, 2025 has also been issued to the Local Police.

5. MCD is directed to ensure that no other unauthorized construction takes place in the property in question, and further requisite action is taken, in accordance with law.

6. Accordingly, the Local Police is directed to ensure that requisite assistance is given to the MCD.

7. At this stage, learned counsel for the respondent no. 5 submits that respondent no. 5 is not the owner of the property in question, which is owned by his son.

8. Be that as it may, in case, respondent no. 5 is aggrieved by any action taken by the MCD, respondent no. 5 is at liberty to seek his remedies, in accordance with law.

9. In case, the owner/occupier of the property in question is aggrieved by any action taken by the MCD, the owner/occupier of the property in question is at liberty to seek their remedies, in accordance with law.

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

MINI PUSHKARNA, J

SEPTEMBER 10, 2025/au