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

+ **W.P.(C) 9481/2025**

BRIJESH KUMAR

.....Petitioner

Through: Mr. Mukesh Kumar Verma, Mr.
Vikas Bakshi, Advocates.

versus

GOVT. OF NCT OF DELHI & ORS.

.....Respondent

Through: Mr. Siddhant Nath, SC with Mr.
Bhavishya Makhija, Mr. Amaan
Khan, Advocates for MCD.
Mr. Lalit Gupta, Ms. Priyanshi
Jain, Ms. Ishita Nautiyal,
Advocates for R-7.
Mr. Varun Vats, Advocate for R-4
and 6.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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10.07.2025

CM APPL. 40038/2025 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

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1. The petitioner has filed this petition under Article 226 of the Constitution, seeking directions in respect of the alleged illegal construction being carried out by respondent No. 7, Mr. Ramkesh Chaprana, in *Khasra Nos. 701 and 702, Village Molarband, Near Central Bank, Jaitpur Road, New Delhi* [“subject land”].

2. It is stated in the writ petition that respondent No. 7 is the brother of the petitioner, and that the petitioner has also filed a partition suit



[CS(OS) 876/2023] in respect of the subject land, which remains pending before this Court.

3. The Municipal Corporation of Delhi [“MCD”] and respondent No. 7 are represented on advance notice. Mr. Siddhant Nath, learned counsel for MCD, submits that the subject land has already been inspected, and unauthorised construction having, *prima facie*, been found, a show cause notice was issued to the owners/occupiers on 20.05.2025. MCD is in the process of hearing the owners/occupiers. Mr. Lalit Gupta, learned counsel for respondent No. 7, submits that respondent No. 7 has responded to the show cause notice and is participating in adjudication thereof.

4. Having regard to the above, no orders are required in this writ petition. The writ petition is accordingly disposed of, leaving it to the MCD to take such action, in accordance with law, as may be appropriate.

5. It is made clear that this Court has not made any observations with regard to the question of unauthorised construction, which is pending before the quasi-judicial authority. The rights and remedies of the parties remain expressly reserved.

6. MCD is directed to act in strict conformity with all statutory formalities and in terms of the judgments of the Supreme Court in *In Re: Directions in the matter of demolition of structures*, [(2025) 5 SCC 1, decided on 13.11.2024], and *Rajendra Kumar Barjatya & Anr. v. U.P. Avas Evam Vikas Parishad & Ors.* [2024 SCC OnLine SC 3767, decided on 17.12.2024].

PRATEEK JALAN, J

JULY 10, 2025 “Bhupi/JM/KA”/