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

+ **W.P.(C) 9751/2025**

SH SHAKTI SINGH

.....Petitioner

Through: Mr. Bharat Sareen, Advocate
(through VC)

versus

MUNICIPAL CORPORATION OF DELHI & ANR.Respondents

Through: Ms. Manisha, Mr. Shubhashish and
Mr. Arjun Gupta, Advocates for R-2
Mob: 9667440544
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Mr. Rakesh Malhotra and Mr. Bharat
Malhotra, Advs. for MCD
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CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
23.09.2025

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1. The present writ petition has been filed seeking directions to the respondent no. 1, to demolish the illegal construction at the property bearing *Khasra No. 30, Bhati Village, Chattarpur, New Delhi-110074*.
2. A Status Report dated 20th September, 2025, has been filed on behalf of the Municipal Corporation of Delhi ("MCD"), relevant portions of which, read as under:



4. That so as to ascertain the status of the subject property i.e. Khasra No. 30, Bhati Village, Chattarpur, New Delhi – 110074, the same has been got inspected through area field staff of Building Department –II of South Zone – MCD and also referred to the record maintained and available with the department.

On inspection and referring to the record, the aforementioned subject property has been identified as Om Complex, Adj. Sube Farm House (SRT), SSN Marg, Bhati, New Delhi. The details of the action as initiated / taken by the department are detailed herein below:

- i) As per record, this property is already stands booked for unauthorized construction vide U/c file No. 290/UC/B-II/SZ/2025 dated 01/05/2025 in the shape of Second floor, Third floor, while Basement, Ground floor & First floor are old and occupied and further booked vide U/c File No. 433/UC/B-II/SZ/2025 dated 10/07/2025 in the shape of Fourth floor and partly constructed Fifth floor (in continuation of previous Booking No. 290/UC/B-II/SZ/2025 dated 01/05/2025), for taking the necessary demolition action u/s 343/344 of DMC Act. Upon following the due process of law, the necessary demolition orders have also been passed by the Competent Authority i.e. Assistant Engineer (Bldg)-II of South Zone – MCD vide dated 29/05/2025 and 31/07/2025 respectively. Copy of demolition orders are annexed herewith as **Annexure – A (Colly)**.



- ii) Furthermore, letters dated 29/05/2025 and 06/08/2025 u/s 344 (2) of the DMC Act – 1957 have also been sent to SHO, PS. Fatehpur Beri, New Delhi with the request that the said unauthorized construction be stopped immediately and workmen present at site / property in question be removed and construction material including the tools, machinery, etc. be seized. Copy of letters as sent in this regard are also annexed as **Annexure – B (Colly).**
- iii) Besides this, letters dated 29/05/2025 and 06/08/2025 for disconnection of Electricity and Water supply from the aforesaid property have also sent to the concerned authorities. Copy of the said letters are also annexed herewith as **Annexure – C (Colly).**
- iv) Moreover, letters dated 29/05/2025 and 06/08/2025 have also been sent to the Sub-Registrar with the request not to register the property under Indian Registration Act, 1908.



Copy of the said letters are also annexed herewith as **Annexure – D (Colly)**.

- v) Furthermore, Prosecution action u/s 466-A of DMC Act – 1957 has been initiated in respect of the subject property and a complaint dated 18/09/2025 has also been sent to DCP, South District, Hauz Khas, New Delhi and a copy thereof has also been endorsed to concerned, SHO PS Fatehpur Beri, New Delhi. Copy of said complaint dated 18/09/2025 is also annexed herewith as **Annexure –E**.
- vi) Apart from this, the necessary Sealing proceedings u/s 345-A of DMC Act – 1957 has also been initiated in respect of the subject property.
- vii) Pursuant to demolition orders already passed in respect of this property, the Building Department – II of South Zone / MCD has taken / carried out the necessary demolition action on 12/08/2025 and upon availability of police force, 03 RCC roof panels of Third floor and 01 RCC roof panel of Second floor have been demolished and reinforcement bars cut down with the help of gas cutter. Photographs taken during the aforesaid demolition action are also annexed herewith as **Annexure – F (Colly)**.
- viii) After taking the aforementioned demolition action, a letter dated 27/08/2025 has also been sent to concerned, SHO, PS Fatehpur Beri,



New Delhi with the request to direct the area patrolling staff to keep strict watch and ward over the subject property so that the demolished portion may not be restored / reconstructed. Copy of the said letter is also annexed herewith as Annexure – G.

5. That the department has now fixed the further action programme in respect of the subject property for 29/09/2025 which will be taken / carried out upon availability of police force.

3. Perusal of the aforesaid Status Report shows that the MCD had issued the Demolition Order with respect to the property in question. Further, partial demolition action was taken on 12th August, 2025. Additionally, a Letter dated 27th August, 2025 has also been issued to the Station House Officer (“SHO”), Police Station – Fatehpur Beri, to keep a strict watch and ward over the subject property.

4. It is further submitted by the MCD in its Status Report that further action programme with respect to the subject property is fixed for 29th September, 2025.

5. Accordingly, no further orders are required to be passed in the present petition.

6. Learned counsel appearing for respondent no. 2 submits that respondent no. 2 has not received any Demolition Order.

7. The respondent no. 2 is granted liberty to seek his remedies, in accordance with law.

8. It is clarified that this Court has not expressed any opinion with



respect to the title of the property in question.

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

MINI PUSHKARNA, J

SEPTEMBER 23, 2025
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