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

+ **CONT.CAS(C) 1028/2025**

MS. PRABHA

.....Petitioner

Through: Mohd. Babar, Advocate..

versus

MR. ASHWANI KUMAR AND ORS

.....Respondent

Through: Mr. Vikas Chopra, Standing Counsel
for MCD with Mr. Neeraj Kumar and
Ms. Khushi, Adv.
Mr. Puneet Yadav, SPC for R-2
SHO P.S. Kalindi

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **15.07.2025**

CM APPL. 41201/2025 (Exemption)

1. Exemptions are allowed, subject to all just exceptions.
2. Applications stand disposed of.

CONT.CAS(C) 1028/2025

1. Counsel for Municipal Corporation of Delhi ('MCD') states that demolition action has been taken and is further scheduled, and they are not non-compliant of the said order of 18th November 2024 in **W.P. (C) 15906/2024**.
2. Besides, he contends that there is a private dispute between the petitioner and respondent no.3 (*respondent no.4 in Writ Petition*), which the Court has also noted that it is a private dispute, and they can take appropriate



civil remedies in this regard.

3. The Court has further granted right to the petitioner to move the Special Task Force ('STF'), and there is nothing on record to state that this has been done by petitioner.

4. Counsel for MCD points out that there is an inaccurate averment made by petitioner in *paragraph 6* of the petition, stating that '*the impugned property has been raised up to the seventh floor*'. A photograph has been shown, taken today, showing that the property is of ground plus two floors, though it does show that there is some attempted construction above the second floor as well.

5. Keeping into account the directions passed in order dated 18th November 2024, wherein the petitioner has the right to take civil remedies for private dispute and approach the STF as well, and taking into account the undertaking made by counsel for MCD that further steps are being taken to seal/demolish the unauthorized portions of the property, this petition is being disposed of with the liberty to the petitioner to revive the petition.

6. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JULY 15, 2025/RK/tk