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

+ W.P.(C) 10318/2025

MOHD YUNUS

.....Petitioner

Through: Mr. Bilal, Adv. (through VC)

versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondents

Through: Mr. Siddharth Gupta, standing
counsel for R-1 and 2

Mob: 9810141287

Email: guptasiddharth73@gmail.com

Mr. Raj Kumar Yadav, SPC for R-3
with Ms. Tripti Sinha and Mr. Ratna
Ujjwal Saha, Advs.

Mob: 9818836222

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CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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21.07.2025

1. The present writ petition has been filed seeking directions to respondent nos. 1, 2 and 3, to take appropriate action for stopping the illegal and unauthorized construction being raised by respondent no. 4 in property bearing no. K-166/68, Main Road, Khadde Wali Masjid, Gautam Vihar, North East, Delhi-110053.

2. *Per contra*, learned counsel appearing for respondent no. 1, i.e., Municipal Corporation of Delhi ("MCD"), on advance notice, submits that the property number, as given in the present writ petition, is not correct. He



submits that the correct property no. is, K-166/66. The said statement made on behalf of MCD is taken note of.

3. Learned counsel appearing for respondent no. 1 – MCD submits that a complaint with regard to unauthorized construction in the property in question was received on 04th July, 2025. He submits that thereafter, a Show Cause Notice has already been issued on 18th July, 2025. He further submits that a letter dated 18th July, 2025, was also issued to the *State House Officer (“SHO”)*, *Police Station New Usmanpur, Delhi-110053*, for stopping the unauthorized construction in the property in question.

4. Learned counsel for respondent-MCD has handed over the documents in regard thereto, which are taken on record.

5. However, learned counsel appearing for the petitioner submits that despite issuance of the afore-noted Show Cause Notice and the letter to the SHO, Police Station New Usmanpur, unauthorized construction is still continuing in the property in question.

6. Considering the submissions made before this Court, it is directed that any on-going unauthorized construction in the property in question, shall be stopped forthwith by the officials of the MCD, as well as the SHO, Police Station New Usmanpur. The concerned officials of the MCD, as well as the SHO, Police Station New Usmanpur, are made personally liable to ensure that the unauthorized construction is stopped in the property in question.

7. In case, unauthorized construction continues therein, the said officials shall be held personally liable.

8. This Court notes that in the present case, the complaint is dated 04th July, 2025, and requisite action had already been initiated by the MCD. This Court further takes note of the statement made on behalf of the MCD that



requisite action shall be taken after following the due process, and in accordance with law.

9. Accordingly, the MCD is held bound to take action against the property in question and to ensure that no further unauthorized construction takes place therein.

10. Action taken by MCD shall be uploaded on the website of the Special Task Force (“STF”).

11. In case, the petitioner is still aggrieved by any in-action by the MCD, the petitioner is at liberty to seek the appropriate remedies, in accordance with law.

12. Likewise, the right of the owner/occupier of the property in question is also reserved, in order to allow the said owner/occupier to seek his legal remedies, in case, he is aggrieved by any action on behalf of the MCD.

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

MINI PUSHKARNA, J

JULY 21, 2025/SK