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

+ **W.P.(C) 10420/2025 & CM APPL. 43285/2025**

UDAY SINGH & ANR.

.....Petitioners

Through: Mr. Amit Kumar, Advocate
versus

**THE COMMISSIONER MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Mr. Vikramaditya Singh, Advocate
for R-1 & 2 (M:9810045281)
Mr. Akhil Mittal, ASC-DDA with
Mr. Sidhant Garg, Ms. Navita,
Advocates for R-3 and 4
(M:9212504099)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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05.08.2025

CM APPL. 43285/2025 (For Exemption)

1. Exemption allowed, subject to all just exceptions.
2. Application is accordingly disposed of.

W.P.(C) 10420/2025

3. The present writ petition has been filed seeking directions to respondent nos. 1 to 4 to take immediate and necessary action as per the provisions of the Delhi Municipal Corporation Act, 1957 ("DMC Act"), against the ongoing illegal and unauthorized construction and encroachment at plot bearing *Khasra Nos. 272 and 273, an area of approximately 400 square yards, Village Devli, New Delhi-110062*, in the shape of high rise building without obtaining Sanctioned Building Plan.



4. Learned counsel for respondent nos. 1 and 2- Municipal Corporation of Delhi (“MCD”), on advance notice, submits that the Show Cause Notice against the unauthorized construction in question has already been issued on 16th July, 2025.
5. He further submits that they have received a reply from the owners/occupiers of the property in question, who have undertaken that they shall remove the unauthorized construction/encroachment themselves.
6. He submits that for this purpose, 30 days time period has been granted to the owners/occupiers of the said property.
7. He further submits that, in case, requisition action is not taken by the owners/occupiers of the property in question, the MCD, itself, shall take requisite action against the same.
8. He further submits that, as per his instructions, there is no high rise building and the construction is only up to basement and ground floor.
9. The aforesaid statement is taken note of and the MCD is bound by the said statement.
10. It is accordingly directed that, in case, the owners/occupiers of the property in question do not remove the unauthorized construction/encroachment by themselves, requisite action shall be taken by the MCD in accordance with law, after following the due procedure.
11. With the aforesaid directions, the present writ petition, along with pending application, is accordingly disposed of.

MINI PUSHKARNA, J

AUGUST 5, 2025/au