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

+ W.P.(C) 10854/2024 & CM APPL. 44666/2024

ANSHUL GOEL

.....Petitioner

Through: Mr. Deepak Tyagi, Mr. Rohit K.
Modi and Mr. Rajbir Singh, Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Manish Gupta and Mr. Rishabh
Rai, Advs. for R-4 to 6 (Through VC)
Ms. Shilpa Ohri, ASC for MCD
M: 9871900539
Mr. Manish Gupta, Mr. Prateek
Gupta, Ms. Deepti Verma, Mr.
Rishabh Rai and Mr. Ravi, Advs. for
R-4, 5 and 6.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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16.04.2025

1. The present petition has been filed seeking direction to the respondent nos. 1 to 3 to take demolition action against the allegedly illegal construction having been carried out by respondent nos. 4 to 6 at *property No. 797, Samman Bazar, Bhogal, New Delhi-110014*.

2. Ms. Shilpa Ohri, Additional Standing Counsel appearing for the Municipal Corporation of Delhi ("MCD"), submits that the building plan of the respondent nos. 4 to 6, already stands revoked on 11th March, 2025. She further submits that pursuant thereto, part action has already been taken by



the MCD, on 28th March, 2025.

3. She further submits that a Show Cause Notice has also been issued to the respondent nos. 4 to 6, and personal hearing is now fixed for respondent nos. 4 to 6, on 21st April, 2025.

4. At this stage, learned counsel appearing for respondent nos. 4 to 6 submits that respondent nos. 4 to 6 have already filed an appeal before the learned Appellate Tribunal, MCD (“ATMCD”), wherein, notice has already been issued.

5. Considering the fact that action has already been initiated by the MCD, it is directed that the further requisite action shall be taken by the MCD, in accordance with law, after giving due hearing to the affected parties.

6. In case, the owners/occupiers of the premises in question, are aggrieved by any demolition order, or any action taken by the MCD, they are at liberty to take recourse to remedies, in accordance with law.

7. Learned counsel appearing for respondent nos. 4 to 6, submits that the Show Cause Notice issued by the MCD, is improper.

8. Responding to the same, learned counsel appearing for the MCD submits that the action taken on 28th March, 2025, was pursuant to the demolition order passed on 08th July, 2024.

9. Learned counsel appearing for respondent nos. 4 to 6 submits that at the time of taking demolition action on 28th March, 2025, the MCD has taken away the electricity meter. Thus, there is no electricity connection with the said respondents.

10. Accordingly, liberty is granted to the respondent nos. 4 to 6 to make a representation to the MCD, in this regard, which shall be considered by the



MCD, appropriately.

11. It is further clarified that this Court has not gone into merits of the case and all the rights and contentions of the parties are left open to be decided at appropriate stage, since the matter is still at the hearing stage before the ATMCD.

12. Noting the aforesaid, the present writ petition, along with the pending application, stands disposed of.

MINI PUSHKARNA, J

APRIL 16, 2025/kr