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

+ W.P.(C) 10834/2025, CM APPL. 44788/2025 & CM APPL. 44789/2025

VINOD KUMAR & ANR.

.....Petitioners

Through: Mr. Uday Prakash, Advocate
Mob: 9873343730

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Ms. Shilpa Dewan, ASC for MCD
Mob: 9971192772
Email: shilpadewan06@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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05.08.2025

1. The present writ petition has been filed challenging the order dated 30th May, 2025, wherein, direction has been given for demolition of the balcony of *Flat Nos. D-10/C, D-10/E of the petitioners at Munirka, DDA Flats, New Delhi-110067*.
2. Learned counsel appearing for the petitioners submits that the said order has been passed on the false allegation of illegal and unauthorized construction beyond the standard plan of Delhi Development Authority ("DDA") Flats.
3. It is submitted that the respondent has also demolished the balcony of Flat No. D-10/C of petitioner no. 1 in *Munirka, DDA Flats, New Delhi-110067*.



4. Learned counsel appearing for the petitioners submits that the respondent has already demolished the balcony of Flat No. D-10/C of petitioner no. 1 on 17th June, 2025, however, no communication in that regard was received by the petitioners.
5. It is submitted that it is apprehended that further action may be taken by the Municipal Corporation of Delhi (“MCD”), thus, the present writ petition has been filed.
6. At the outset, this Court notes that the petitioners have filed the present petition against a demolition order passed by the Building Department of the MCD.
7. Thus, the petitioners have alternate efficacious remedy in the form of filing the appeal before the Appellate Tribunal MCD (“ATMCD”) against any order of demolition passed by the MCD.
8. At this stage, learned counsel appearing for the petitioners submits that the petitioners have already filed an application for regularization with the respondent-MCD, after filing of the present writ petition.
9. He, thus, submits that the said application of the petitioners be considered, and no further action be taken, till the said regularization application is disposed of.
10. None appears for the respondent-MCD when the matter is called out.
11. Ms. Shilpa Dewan, who is present in Court, is requested to appear on behalf of the MCD.
12. Considering the submissions made before this Court, it is directed that the application for regularization, as filed on behalf of the petitioners, be considered expeditiously, within a time bound manner.
13. Further, at the time of considering the application of the petitioners



for regularization, opportunity of hearing shall also be granted to the petitioners.

14. Speaking order with respect to the regularization application shall accordingly be passed by respondent-MCD, and copy of the same shall be duly intimated to the petitioners.

15. Accordingly, considering the submissions made before this Court, it is directed that no coercive steps be taken against the petitioners, during the pendency of their regularization application.

16. With the aforesaid directions, the present writ petition, along with the pending applications, is disposed of.

MINI PUSHKARNA, J

AUGUST 5, 2025

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