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

+ W.P.(C) 11374/2025 & CM APPL. 59500/2025

DHARMBEER SINGH AND ANR.

.....Petitioners

Through: Mr. Kartik Rai, Advocate

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versus

MUNICIPAL CORPORATION OF DELHI AND ORS.

.....Respondents

Through: Mr. Abhinav Singh and Mr. Rishabh
Yadav, Advs. for R-1 and 2

Mob: 9811188892

Mr. Hinu Mahajan, Mr. Divyanshu
Kumar, Mr. Yudhvir Singh Chauhan,
Advocates for R-3

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CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

18.09.2025

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1. The present writ petition has been filed seeking directions to respondent nos. 1 and 2, to take action against the unauthorized and illegal construction, raised by respondent no. 3, on the plot bearing *House No. A-11/4, 5th Pusta, Main Service Road, South Gamri, Near Gyan Sarovar School, Delhi-110053*, forming part of the *Khasra No. 847/46/2 of Village Ghonda Gurjan Khadar, Delhi*.

2. Learned counsel appearing for Municipal Corporation of Delhi



(“MCD”), has handed over a copy of the Status Report, which is taken on record.

3. The relevant portions of the said Status Report, dated 18th September, 2025, read as under:

3. That the, subject property bearing No. A-11/4, 5th Pusta, Main Service Road, South Gamri, Near Gyan Sarovar School, Delhi was inspected by the area JE (B) on 29.07.2025 and the construction work is found in

progress. Accordingly, the said unauthorized construction was booked vide File No. 98/B-I/UC/SH-N/2025 dated 29/07/2025. A show cause notice vide no. 17353 dated 29.07.2025 was issued to the owner/builder of the property (**Annexure-R 1**). As the owner failed to comply the directions given in the demolition notice within stipulated time. The demolition order was passed on dated 08.09.2025 (**Annexure-R 2**).

4. That, further a sealing show cause notice vide no. DC/SH-N/B-I/2025/D-51 dated 08.09.2025 was also served upon the owner/builder of the subject property (**Annexure – R 3**). No reply is received within the stipulated time. Further, it is also pertinent to mention that a letter vide No. AE (B)-I/SH-N/2025/D-315 dated 10.09.2025 was sent to SHO Usmanpur with the request to stop the unauthorized work and to seize the tools and materials immediately (**Annexure-R 4**).

5. That the, demolition action was fixed and carried out vide dated 16.09.2025 under jurisdiction of P.S. Usmanpur. During the course of action 03 Nos. of RCC panels along with reinforcement bars have been cut down & demolished with brick wall at ground floor was demolished (**Photographs is annexed as Annexure-R 5**).

That the, a watch and ward letter sent to SHO Usmanpur to keep a strict watch and watch over the unauthorized construction of the owner/occupier. The copy of watch and ward letter dated 16.09.2025 is annexed as (**Annexure-R 6**).



2. That the, an application alongwith documents for regularization is also submitted by the owner/occupier in the office of EE (B)-I, Shah. North Zone on dated 17.09.2025 and Invalid Notice (I/N) will be issued to owner/occupier after properly examining the documents & completion of Codal formality within stipulated period.

8. Further action will be taken after receiving the reply and considering facts of supplied documents as per due process of law.

4. Perusal of the aforesaid Status Report shows that the MCD has taken part action against the property in question, on 16th September, 2025.

5. Subsequently, an application for regularisation has been received by the MCD from the owner/occupier of the property in question, which is under consideration of the MCD.

6. Accordingly, it is directed that further action against the unauthorised construction in the property in question shall be taken by the MCD, subject to any orders that may be passed in the regularisation application, filed by the owner/occupier of the property in question.

7. In case, the petitioner is aggrieved by any non-action on the part of the MCD, the petitioner is at liberty to approach the Special Task Force ("STF"), as constituted by the Supreme Court, in terms of the orders passed by the Division Bench of this Court in the case of **Devender Versus Govt. of NCT of Delhi and Ors.**, and other connected matters in **W.P.(C) 1807/2018** and **Fazruddin Versus DDA and Ors.** in **W.P.(C) 4649/2017**.

8. In case, the owner/occupier of the property in question is aggrieved by any action on the part of the MCD, the right of such owner/occupier is reserved to seek remedies, in accordance with law.

9. Accordingly, no further orders are required to be passed in the present



writ petition.

10. At this stage, learned counsel appearing for respondent no. 3 submits that the petitioners herein had earlier filed a civil suit also, which was dismissed. Thus, he submits that the present petition is an abuse and misuse of the process of law.

11. Considering the fact that this Court is already disposing of the present writ petition on account of the Status Report filed on behalf of the MCD, no orders are being passed with respect thereto.

12. The present writ petition, along with the pending application, is disposed of.

MINI PUSHKARNA, J

SEPTEMBER 18, 2025

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