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

+ W.P.(C) 11357/2025 & CM APPL. 46603/2025
HARIJAN SEVAK SANGH

.....Petitioner

Through: Ms. Jessica Virdi, Mr. Navneet
Tripathi and Mr. Shreyansh Kaushik,
Adv.

versus

THE GOVERNMENT OF NCT OF DELHI & ORS.Respondents

Through: ASI Sikhvir Sharma, Adv.
Mr. Mahendra Pratap, Adv. for R-8
Mr. Santosh Kumar, SC with
Mr. Adithya Ramni, Mr. Devansh
Malhotra, Mr. Ritik Dwivedi and Ms.
Nidhi Rani, Adv. for NHA
Ms. Arti Bansal, ASC with Ms. Shruti
Goel, Adv. for MCD
Mr. Nirvikar Verma, SPC with Mr.
Sukhvir Sharma, ASI for R-3

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

12.09.2025

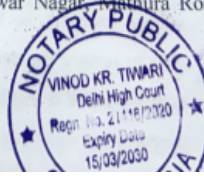
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1. The present writ petition has been filed seeking directions to take action against the illegal construction being undertaken by respondent no. 8 on property situated abutting the NH-2 in the vicinity of *Ishwar Nagar (West), Mathura Road, Okhla, New Delhi*.
2. Today learned counsel appearing for Municipal Corporation of Delhi ("MCD"), has handed over copy of Status Report, which is taken on record.
3. The Status Report filed on behalf of MCD, reads as under:



“XXX XXX XXX

2. That the cause of litigation on the part of petitioner relates to construction in the vicinity of the School for scheduled Caste Minor Girl Students, Ishwar Nagar, Mathura Road, Okhla, New Delhi..



- i. That so as to ascertain the status of the subject property the area field staff of Building Department-I, Central Zone of MCD has inspected the same. During inspection, subject property was identified as Property No. 56-A/01, out of Khasra No. 1706/1699, 1708/1700, 262, Khewat No. 95, Khata No. 274, Ishwar Nagar, Mathura Road, New Delhi. During inspection, it was observed by the concerned field staff that Owner/ Builder of the property has constructed Stilt, Ground Floor to Second Floor.
- ii. Demolition action against subject property has been taken on 04.09.2025. During the action, upon availability of Police Force, 01 number of RCC panel was demolished at roof of Ground Floor, 02 number of RCC panels were demolished at roof of first floor, 01 number of RCC panel was demolished at roof of Second Floor. Reinforcement of these panels were also cut down with the help of gas cutter. Photographs showing the action as taken by the department on 04.09.2025 is annexed herewith as **Annexure: A.**
- iii. Pursuant to aforesaid action dated 04.09.2025, a letter bearing No. D/109/AE(B)-I/CNZ/2025 dated 08.09.2025 has been sent to the SHO, PS New Friends Colony with the request to keep strict vigil over the subject property, so that Owner/ Builder may not be able to restore the demolished portion. Copy of watch & ward letter as issued by this department is annexed herewith as **Annexure: B.**



This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 15/09/2025 at 12:25:20



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3. That, upon noticing the unauthorised construction at subject property, necessary action u/s 343/344 of the DMC Act has been initiated. Copy of necessary Show Cause Notice as issued u/s 344(1) & 343 of the DMC Act is annexed herewith as Annexure: C.
4. That further action against subject property has been planned for 26.09.2025 and the same shall be taken upon availability of Police Force.

xxx xxx xxx”

4. Perusal of the aforesaid Status Report clearly shows that the MCD has already taken part action against the property in question on 04th September, 2025.
5. Accordingly, noting the aforesaid, MCD is held bound to take further action, in accordance with law.
6. Likewise, learned counsel appearing for the respondent no.3 has also handed over copy of the Status Report on behalf of Station House Officer (“SHO”), Police Station New Friends Colony, to confirm the fact that part demolition action has been taken by the MCD on 04th September, 2025, wherein, assistance was given by the Police to the MCD at the time of demolition action.
7. The said Status Report filed on behalf of SHO, Police Station New Friends Colony, is taken on record.
8. At this stage, learned counsel appearing for respondent no. 8 submits that respondent no. 8 is the lawful owner and he has the requisite sanction in his favour.
9. If that be the case, respondent no. 8 is granted liberty to seek remedies, in accordance with law.



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

MINI PUSHKARNA, J

SEPTEMBER 12, 2025/KR