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

+ W.P.(C) 11501/2025

ZAHIDA NAZ

.....Petitioner

Through: Mr. Umang Tyagi, Mr. Kartik Pandey, Ms. Diksha Punia and Mr. Ahmed Siddiqui, Advs.

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versus

MUNICIPAL CORPORATION OF DELHI & ANR.

.....Respondents

Through: Ms. Avshreya Pratap Singh Rudy, Sr. Panel Counsel for R-Delhi Police, with Ms. Usha Jammal, Ms. Harshita Chaturvedi and Mohammad Junaid Mahmood, Advs.

Mob: 9810001315

Email: [avshreyarudy@outlook.com](mailto:avshreyarudy@outlook.com)

Mr. Bhoopesh K. Sharma, Adv. for R-3

Email: [ncrlegal11@gmail.com](mailto:ncrlegal11@gmail.com)

**CORAM:**

**HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER**

**21.08.2025**

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1. The present writ petition has been filed seeking directions to respondent nos. 1 and 2 to take action on the petitioner's complaints/representations dated 25<sup>th</sup> July, 2025, for taking appropriate action against the unauthorized construction being carried out at *house no. 1428, Chatta Nawab Sahib, Farash Khana, Delhi-110006*.



2. Pursuant to the directions of this Court, a Status Report dated 20<sup>th</sup> August, 2025, has been filed on behalf of the respondent no. 1-Municipal Corporation of Delhi (“MCD”), wherein, it has been stated as under:

“xxx xxx xxx

4. That it is submitted that the property bearing No. 1428, Chatta Nawab Sahib, Farash Khana, Delhi-110006 comprises of ground floor, first floor, second floor and third floor (ground floor to second floor old and occupied), further unauthorized construction in the shape of two rooms at third floor has been carried out by the owner/occupier as such the same was booked vide file no.152/79/B/UC/EE(B)-I/CSPZ/2025 dated 31.07.2025 under section 343 & 344 of the DMC Act and a Show Cause notice dated 31.07.2025 issued to the Sh. Rashid Hassan/Mohd. Salman/ Usra/ Sufiyan/ Shahida/ owners/ occupiers thereby directing him to Show Cause as to way demolition order be not passed in respect of aforesaid unauthorized construction. A copy of show cause notice dated 31.07.2025 is annexed herewith as **Annexure-B**.

5. That it is submitted that further action in the matter shall be taken in accordance with law after completion of the statutory period granted in the show cause notice issued to the owners/occupiers.

xxx xxx xxx”

3. Perusal of the aforesaid Status Report shows that the MCD has already initiated action against the unauthorized construction in the property in question.

4. Accordingly, the MCD is held bound to take action against the unauthorized construction in the property in question, after following the due procedure, in accordance with law.

5. Further, this Court records that a Status Report dated 18<sup>th</sup> August, 2025, has been filed on behalf of the respondent no. 2-Station House Officer (“SHO”), Hauz Qazi, wherein, it has been stated as follows:

“xxx xxx xxx

5. It is submitted that the Petitioner resides at Property No. 1427, Chhata Nawab Shah, Farash Khana, Delhi-110006 which is adjacent



to property in question.

6. It is submitted that the property in question is already built-up upto 02 floors and the construction has been carried out on 2<sup>nd</sup> floor by Respondent No. 03.

7. It is submitted that the issue of illegal construction was brought to the notice of the local police and the same issue was also raised by the Petitioner. It further submitted that on the same day i.e. 26.07.2025, the Civic Authority i.e. MCD, City SP Zone, Kashmiri Gate, Delhi was intimated of the same telephonically vide Complaint No. 902 Dated 26.07.2025.

8. It is submitted that on 28.07.2025, the issue of illegal construction in respect to the concerned property was brought to the notice of the MCD by the Answering Respondent vide Diary No. U/C-60 and the same was acknowledged by the MCD on 29.07.2025. A True Copy of Notice issued to MCD vide Diary No. U/C-60/SHO dated 28.07.2025 is annexed herewith and marked as **ANNEXURE R-01**.

9. It is submitted that a Work-stop Notice was issued on 28.07.2025 in respect of the property in question and the same was received on 29.07.2025 from the MCD at the Police Station Hauz Qazi, Delhi. A True Copy of Work Stop Notice dated 29.07.2025 issued by the MCD is annexed herewith and marked as **ANNEXURE R-02**.

10. It is submitted that upon receipt of the Work Stop Notice dated 29.07.2025 the unauthorized construction work has been put hold. It is further submitted that to this effect the DD Entries have also been lodged from time to time. A True Copy of the Relevant DD entries have been annexed herewith and marked as **ANNEXURE R-03**.

11. It is further submitted that necessary police assistance will be provided as and when required by the Civic Agency i.e. MCD subject to prior intimation.

xxx xxx xxx”

6. Perusal of the aforesaid Status Report filed on behalf of the SHO, Hauz Qazi, shows that upon receipt of work stop notice, the Police has already got the unauthorized construction stopped. Further, the Police is also keeping a watch on the property in question, so that no unauthorized construction takes place therein.

7. Accordingly, the MCD, as well as the local police, are directed to ensure that the requisite action is taken against the unauthorized construction



in the property in question, after following the due procedure, and in accordance with law.

8. The MCD, as well as the local Police are directed to ensure that no further unauthorized construction is carried out in the property in question.

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

10. The present petition is accordingly disposed of.

**MINI PUSHKARNA, J**

**AUGUST 21, 2025/SK**