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

+ **W.P.(C) 11670/2025 & CM APPL.- 63362/2025**

RAHUL BALI

.....Petitioner

Through: Mr. Sachin Puri, Sr. Advocate with
Ms. Mehak Ghaloth and Mr. Prithvi
Raj Mehra, Advocates along with
petitioner in person.
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versus

MUNICIPAL CORPORATION OF DELHI AND ORS.

.....Respondents

Through: Mr. Namrata Mukim, Standing
Counsel with Ms. Sakshi Saxena and
Ms. Niharika Singh, Advocate for
MCD (through VC)
Mr. Sanjeev Kumar Sharma, Mr.
Rajiv Dalal, Mr. Sarsij Nayanam, Mr.
Atin Kumar, Advocates for R-7
(through VC)
Mr. Nagendra Kasana, Mr.
Omprakash Singh, Mr. Sachin Bhati
and Mr. Kunal Gurjar, Advocates for
R-8
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Ms. Avni Singh, Panel Counsel,
GNCTD
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Mr. Moksh Arora and Mr. Santosh
Ramdurg, Advocates for R-6
Mob: 9999061836
Mr. M. Theepa, SPC with Mr.
Yogesh Dubey, Advocate for UOI



Mr. Shubham Jain, Advocate for R-3
Mob: 8750021607

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
09.10.2025

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1. The present writ petition has been filed seeking directions to the respondent no. 1-Municipal Corporation of Delhi ("MCD"), to take action against respondent no. 8, for unauthorized and illegal construction at the property bearing *House No. 1/1-2, Block No. 1, Khichripur, District East, Delhi-110091*.
2. There is further prayer for removal of the telecommunication tower, which has been installed at the said property.
3. A Status Report dated 26th September, 2025 has now been filed on behalf of the MCD, relevant portions of which, are reproduced as under:

"xxx xxx xxx"

2. That, the present case has been filed by the Petitioner with prayer to take action against unauthorized & illegal construction at H.No. 1/1-2, Block No. 1, Khichripur, Delhi – 110091.
3. That, Hon'ble High Court of Delhi vide order dated 05.08.2025 directed MCD to take requisite action against the petitioner's property, as well as the property in question after following the due process of law and file status report/reply.



4. That, it is submitted that the department booked the property bearing No. 1/1-2, Block – 1, Khichripur, Delhi – 110091 for unauthorized construction in the shape of Ground Floor, First Floor, Second Floor, Third Floor & Fourth Floor with projection on municipal land vide booking file No. 137/B/UC/SS/2025 dated 18.08.2025 and Show Cause

Notice u/s 344 (1) & 343 of DMC Act, 1957 was served upon Mr. Rajesh Rajora/Owner/Occupier. Copy of Show Cause Notice^{dated 18.08.2025} is annexed as **Annexure R – 1**.

5. That, it is submitted the noticee failed to provide the reply of the Show Cause Notice and subsequent order of demolition of building u/s 343 of the DMC Act, 1957 dated 11.09.2025 with the directions to demolish the above mentioned unauthorized construction within 15 days from the date of this order failing which Municipal Corporation of Delhi may by itself initiate action for demolition of above construction and expenditure so incurred for carrying out the demolition would be recovered from you as per provisions of DMC Act, 1957. Response to this effect is still awaited.

6. That, it is further to submit that simultaneously, proceeding of sealing the illegal premises under reference was also initiated and the Sealing Show Cause Notice dated 12.09.2025 u/s 345-A of the Act, 1957 in accordance with law has been issued and addressed to Sh. Rajesh Rajora/Owner/Builder/Occupier. Response to this effect is still awaited. Copy of sealing show cause notice^{dated 12.09.2025} is annexed as **Annexure R – 2**.

7. That, in compliance of the above direction, the department also initiated action against the property of the petitioner i.e. 1/3, Block – 1, Khichripur, Delhi. Accordingly, the property



carrying out unauthorized construction at Ground Floor, Fir Floor, Second Floor & Third Floor with projection on municipal land (Residentially occupied) vide booking file No. 138/B/UC/SS/2025 dated 18.08.2025 and Show Cause Notice u/s 344 (1) & 343 of DMC Act, 1957 was served upon Mr. Rahul Bali/Owner/Occupier. Copy of Show Cause Notice dated 18.08.25 is annexed as **Annexure R – 3**.

9. That, it is further submitted that Mr. Rahul Bali submitted his response which taken on record and after thorough examination of submitted, the department passed detailed demolition order u/s 343 of the Act, 1957 on 10.09.2025. Copy of demolition order dated 10.09.2025 is annexed as **Annexure R – 4**

10. That, it is submitted that simultaneously, proceeding of sealing the illegal premises under reference was also initiated and the Sealing Show Cause Notice dated 02.09.2025 u/s 345-A of the Act, 1957 in accordance with law has been issued and addressed to Sh. Rahul Bali/Owner/Builder/Occupier. Response to this effect is still awaited. Copy of sealing show cause notice dated 02.09.25 is annexed as **Annexure R – 5**.

11. That, further action shall be taken in accordance with law as per priority policy of the department.

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4. Perusal of the aforesaid Status Report shows that a Demolition Order dated 11th September, 2025, has been passed against the property of respondent no. 8.

5. Further, perusal of the Status Report also shows that as regard the property of the petitioner, the same also stands booked and Demolition



Order dated 10th September, 2025, also stands passed against the property of the petitioner.

6. Accordingly, the MCD has already initiated action against the unauthorized construction existing in the property of respondent no. 8 as well as of the petitioner.

7. At this stage, learned Senior Counsel appearing for the petitioner submits that the Demolition Order passed against respondent no. 8 has not been placed on record.

8. He submits that copy of the same be provided to the petitioner, since the present petition had been filed by the petitioner primarily being aggrieved by the telecommunication tower, which had been installed at the property of respondent no. 8.

9. Accordingly, learned counsel appearing for the respondent-MCD is directed to provide copy of the Demolition Order passed *qua* the property of respondent no. 8, on the E-mail of learned counsel for the petitioner, which is reflected in today's order.

10. The petitioner as also the respondent no. 8, are granted liberty to challenge the action taken by the MCD, in accordance with law.

11. Accordingly, considering the fact that requisite action already stands initiated by the MCD, no further orders are required to be passed in the present writ petition.

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

MINI PUSHKARNA, J

OCTOBER 9, 2025/ak