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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11726/2025 CM APPL. 48004/2025, CM APPL. 48005/2025**
& CM APPL. 63361/2025
SHAMAPetitioner

Through: Mr. Ankush Babar, Adv. (Through
VC)

versus

MUNICIPAL CORPORATION OF DELHI AND ORS.
.....Respondents

Through: None.

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 respondent nos. 1 to 4, to stop the work, with respect to the illegal construction raised on property bearing *Khasra No. 346/28, under Award No. 13/87-88, Opposite Nirmal Medicos, IGNOU Road, Saidulajab, New Delhi-110030.*

2. A Status Report dated 06th October, 2025 has been filed on behalf of the Municipal Corporation of Delhi ("MCD"), relevant portions of which, read as under:

"xxx xxx xxx



4. That considering the aforementioned relief as sought by the petitioner, so far as role of answering Respondent –MCD is concerned, it is submitted that to ascertain the status of the subject mentioned property / land in question, the same has been got inspected through area field staff of Building Department –II of South Zone – MCD and also referred to the record maintained and available with the department.

On inspection and referring to the record, the aforementioned subject property has been identified by the area field staff of Building Department –II of South Zone – MCD as Property bearing Khasra No. 346/58, Main IGNOU Road, Saidulajab, New Delhi. The details of the action as initiated / taken by the department are detailed herein below:

- i) As per record, this property is already stands booked for unauthorized construction vide U/c file No. 352/UC/B-II/SZ/2025 dated 22/05/2025 in the shape of raising of columns at Basement , vide U/c File No. 468/UC/B-II/SZ/2025 dated 01/08/2025 in the shape of



Basement, Ground floor, First floor and Second floor (in continuation of previous booking No. 352/UC/B-II/SZ/2025 dated 22/05/2025), and also further booked vide U/c file No. 622/UC/B-II/SZ/2025 dated 06/10/2025 in the shape of Third floor, Fourth floor and Fifth floor, (in continuation of earlier booking No. 468/UC/B-II/SZ/2025 dated 01/08/2025) for taking the necessary demolition action u/s 343/344 of DMC Act. Upon following the due process of law, the necessary demolition orders have also been passed by the Competent Authority i.e. Assistant Engineer (Bldg)-II of South Zone – MCD vide dated 10/06/2025 and 21/08/2025 respectively. Copy of demolition orders are annexed herewith as **Annexure – A (Colly)**.

ii) Furthermore, letters dated 28/05/2025 and 06/10/2025 u/s 344 (2) of the DMC Act – 1957 have also been sent to SHO, PS. Mehrauli, New Delhi with the request that the said unauthorized construction be stopped immediately and workmen present at site / property in question be removed and construction material including the tools, machinery, etc. be seized. Copy of letters as sent in this regard are also annexed as **Annexure – B (Colly)**.

iii) Besides this, letters dated 28/05/2025 and 06/10/2025 for disconnection of Electricity and



Water supply from the aforesaid property have also sent to the concerned authorities. Copy of the said letters are also annexed herewith as Annexure – C (Colly).

- iv) Moreover, letters dated 28/05/2025 and 06/10/2025 have also been sent to the Sub-Registrar with the request not to register the property under Indian Registration Act, 1908. Copy of the said letters are also annexed herewith as Annexure – D (Colly).
- v) Furthermore, sealing proceedings u/s 345-A and Prosecution action u/s 466-A of DMC Act – 1957 have also been initiated in respect of the subject property.
- vi) Further, pursuant to demolition orders already passed in respect of the subject property, the Building Department – II of South Zone / MCD has tried / taken / carried out the necessary action as per details given herein below:

S.No.	Date of Action	Action Taken
1.	08/08/2025 & 18/08/2025	Action could not be taken due to non availability of police force.
2.	25/08/2025	Upon availability of police force,
3.	22/09/2025	Action could not be taken due to



		shortage of time.
4.	01/10/2025	Upon availability of police force, 01 RCC panel and brick walls of the flat at the terrace have been demolished and iron reinforcement bars have also been cut down with the help of gas cutter.



The photographs taken during the aforesaid demolition action alongwith copy of no force letters are also annexed herewith as **Annexure – E (Copy)**.

- vii) After taking the aforementioned demolition action, a letter dated 01/10/2025 has also been sent to concerned, SHO, PS Mehrauli, New Delhi with the request to direct the area patrolling staff to keep strict watch and ward over the subject property so that the demolished portion may not be restored / repaired. Copy of the said letters as sent are also annexed herewith as **Annexure – E**.

5. That the department has now fixed the further action programme in respect of the subject property



for 27/10/2025 which will be taken / carried out
upon availability of police force.

3. Learned counsel appearing for the petitioner, at this stage, submits that the petitioner is satisfied with the action taken by the MCD, and does not wish to press the present writ petition.
4. Accordingly, in view of the action taken by the MCD and the statement of the petitioner, the present writ petition, along with the pending applications, is disposed of.

MINI PUSHKARNA, J

OCTOBER 9, 2025/SK