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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 1350/2024**

ZIAUDDINPetitioner

Through: Mr. Mujeeb Ahmed, Adv

versus

SHRI ASHWANI KUMAR & ANR.Respondent

Through: Mr. Ayaz Ahmed, Advocate for R-2
along with respondent no.2.
Mr. Nikhil Palli, Advocate for MCD.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **05.05.2025**

1. Counsel for petitioner states that they have perused the status report dated 07th January 2025 filed by Municipal Corporation of Delhi ('MCD').
2. A perusal of the status report shows that steps have been taken by MCD in respect of sealing the property, demolishing the property, and issuing a letter to the SHO to keep watch and ward. The photographs have also been appended along with the petition. The last action was taken in August 2024.
3. Counsel for petitioner, however, points out that respondent No.2 has started operating from the back side of the property and continues to operate his guest house and travel agency office.
4. There is an issue with respect to the property number of properties in question.
5. *Mr. Asif Qureshi*, respondent no.2, states that they are at the property bearing no. 286A, while property bearing no. 286 stands sealed.
6. *Mr. Asif Qureshi* accepts that he is running a meat shop at the back



side of property.

7. In these circumstances, MCD shall file an updated status report after a due inspection. The status report shall also state whether *Mr. Asif Qureshi* is running his business on the premises and whether it is in contravention to the demolition and the sealing action taken by the MCD in August 2024.

8. Status report shall be filed within the next four weeks with copy to counsel for petitioner.

9. MCD shall take due steps in case it is found that the seal has been tampered with or has been subverted in order to defy the action by the MCD.

10. From the submissions made by counsel for petitioner as well as the affidavit filed pursuant to previous order of this Court, it transpires that there is a private dispute between the parties relating to *Property No. 283, Garib Nawaz Basti Hazrat Nizamuddin, New Delhi-110013*, which is stated to be owned by petitioner.

11. Counsel for petitioner and petitioner who is present in Court states that there are a number of petitions which have been filed by respondent no.2 against the unauthorized construction of the premises owned by petitioner. In this context, it seems, that this petition has been filed.

12. Notwithstanding, the *animus* that parties are against each other MCD will take steps and will accomplish its task in accordance with law.

13. Accordingly, petition is disposed of. Liberty to given to the petitioner to approach this Court, in case of continued infraction.

14. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 5, 2025/RK/bp