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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 1954/2023 & CM APPL. 12754/2024, 51274/2025

KAVITA GROVER

.....Petitioner

Through: Mr. Pushkar Sood (DHCLSC) with
Mr. Samarth Sood, Advocates.

versus

ANGEL BHATI CHAUHAN, DY.

COMMISSIONER(SOUTH ZONE) & ORS.Respondents

Through: Mr. Sanjeev Sabharwal, SC for MCD
with Ms. Shweta Singh, Advocate and
Mr. Sanjeev, EE South Zone, MCD.
Mr. Raghvendra Mohan Bajaj, Mr.
Sajal Awasthi and Mr. Pritesh Raj,
Advocates for R-4 alongwith R-4 in
person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

12.12.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 215 of the Constitution of India, 1950 read with Sections 11/12 of the Contempt of Courts Act, 1971 seeks following prayers:-

“a). Initiate contempt proceedings against the contemnors /respondents herein, for wilfully and deliberately disobeying I violating I not complying the directions in order, dated; 13-04-2023, passed by this Hon'ble High Court of Delhi, in W.P.(C) No. 3669/2019, titled as "Smt. Kavita Grover V s. South Delhi Municipal Corporation & Ors.".

b) Pass any other &/or further order(s) in favour of the petitioner herein, as this Hon'ble Court deems fit & proper, in the interests of justice.”



3. *Vide* order dated 13.04.2023 passed in W.P.(C) 3669/2019, learned Single Judge of this Court had passed the following directions:-

“6. In view of the above, present petition is disposed of with directions that the concerned A.E. (Building), MCD shall ensure that requisite action is taken against the alleged unauthorised construction/encroachment in accordance with law within four months from today. Let a copy of this order be placed before the concerned Deputy Commissioner, MCD for strict compliance. Respondent No. 4 is also directed to provide necessary police assistance to respondent No.1 on receiving such request.

7. Needless to state that owner/occupier of the subject property would also be at liberty to seek remedy as may be available to them under the law. Petitioner shall also be at liberty to approach this Court in case she remains aggrieved.”

4. Learned counsel appearing on behalf of the respondents/MCD has handed up in Court today as status report dated 10.12.2025 authored by Mr. Sanjeev Kumar, Executive Engineer (Bldg)-II, South Zone, MCD, who is present in Court today, and the same is taken on record. In the said status report, it has been recorded as under:-

“3. That pursuant to demolition / sealing orders already stand passed in respect of subject property i.e. bearing No. L-47-A & L-47-C, DDA Janta Flats, Saket New Delhi, the Building Department -II of South Zone-MCD has tried / taken / carried out further necessary demolition / sealing action as per details given herein below:-

S.No.	Date of Action	Action Taken
1.	26/03/2025	Action could not be taken due to non availability of police force.
2.	13/10/205	Upon availability of police force, demolished RCC panel at Fourth floor roof has been



		enlarged / extended and the same has been made in uninhabitable condition. Beside this, after de-sealing the room at Forth floor, one brick wall has been demolished and after taking the aforesaid demolition action the same has been re-sealed.
3.	04/12/2025	Upon availability of police force, 01 RCC panel at Third floor and 01 partition wall at Fourt floor have been demolished.

Photographs taken during the aforementioned demolition / sealing action alongwith copy of no force letter are annexed herewith as Annexure -A (Colly).

4. That after taking the aforesaid demolition / sealing action, letters dated 31/10/2025 and 08/12/2025 have also been sent to SHO concerned, PS Saket, 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 repaired / restored / reconstructed and the seals affixed by the department may not be tampered with. Copy of the said letters as sent are also annexed herewith as Annexure - B (Colly).

5. That further it is also stated here that, as regards the allegation of unauthorized construction in respect of the petitioner's premises / flat i.e. bearing No. L- 48-D, DDA Janta Flats, Saket, New Delhi, it is submitted that on referring to the record available with the department, it has been



noticed / revealed that this premises / flat is also stands booked vide file No. 468/B/UC/SZ dated 15/02/2006 for unauthorized construction in the shape of Deviations /Excess coverage against the Standard Building Plan of DDA at First floor and unauthorized construction at Second floor and Third floor, for taking the necessary demolition action u/s 343/344 of DMC Act. Upon following the due process of law in this regard the necessary demolition order is also stands passed by the competent authority i.e. the then AE (Bldg), South Zone on 03/03/2006. The copy of the demolition order is annexed herewith as Annexure - C.

6. That moreover, it is submitted that as per record the Building Department, South Zone - MCD had taken demolition action on this property on 04/05/2016 at its ongoing stage and during the action tin sheds were removed at Third floor. But during the recent inspection it has been noticed that the same has again been re-constructed by the owner / occupier of the subject property which is liable for action.

7. That further it is submitted that a Civil Suit bearing No. 136/2016 84391/2016 titled as "Anil Puri and Anr. VS Kavita Grover and Ors." is also pending adjudication before the Hon'ble Court of Ms. Neha Priya, SCJ - cum - RC, South District, Saket Courts, New Delhi in respect of the alleged petitioners premises / flat bearing No. L-48-D, Janta Flats, Saket, New Delhi and is now listed on 17/12/2025 The copy of the last order dated 25/09/2025 is annexed herewith as Annexure -D.

8. That so as to take further action in respect of the subject property and the property of the petitioner, the department has now fixed the further necessary action programme for 18/12/2025 which will be taken / carried out, upon availability of police force."

5. Learned counsel appearing on behalf of the respondent no. 4 submits that the latter has applied for regularization.
6. In view of the aforesaid, no further directions are called for.
7. The present petition is disposed of with directions to MCD to ensure that no unauthorized construction/encroachment shall come up in the subject property and to take action in accordance with law regarding the same.
8. Needless to state that the application for regularisation shall be dealt



with in accordance with law.

9. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

DECEMBER 12, 2025/sn