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

+ W.P.(C) 12217/2025 & CM APPL. 49793/2025

NISHA

.....Petitioner

Through: Mr. Hasnain Ali, Advocate (through
VC)

versus

MCD THROUGH ITS DEPUTY COMMISSIONER & ORS.

.....Respondents

Through: Mr. Bharat Malhotra and Ms. Shipra,
Advocates
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Mr. Vivekanand Mishra, SPC for R-2
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CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

13.08.2025

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1. The present writ petition has been filed seeking directions to respondent no. 1 – Municipal Corporation of Delhi (“MCD”), to demolish the unauthorized construction at property no. *RZ-82, Tughlakabad Extension, Gali no. 10, Govindpuri, Delhi-110019*, being carried out by respondent nos. 4 and 5.



2. Learned counsel appearing for respondent no. 1-MCD, as well as the respondent no. 3-Special Task Force (“STF”), submit that while the property in question is in Govindpuri, Delhi, the address of the petitioner is that of Bisharatganj, Bareilly, Uttar Pradesh-243302.

3. It is submitted that the petitioner has merely made an averment in the petition that the petitioner is the proprietor of the property, which is subject matter of the present writ petition. However, copy of only the General Power of Attorney and Agreement to Sell and an affidavit, have been filed.

4. Though, learned counsel appearing for the petitioner had not appeared before this Court in the first instance, however, during the dictation of the present order, learned counsel appearing for the petitioner has appeared through Video Conferencing (“VC”) and submits that the property in question, which is subject matter of the present writ petition, measures 150 sq. yards, out of which the petitioner is the owner of 50 sq. yards.

5. Thus, he submits that since unauthorized construction is going on in the property in question, the present petition has been filed.

6. At this stage, learned counsel appearing for the respondent-MCD submits that a Show Cause Notice and a Work Stop Notice dated 12th August, 2025, with respect to unauthorized construction in the property in question, has already been issued and an action shall be taken by the MCD, in accordance with law.

7. Learned counsel appearing for the MCD further submits that the present affidavit shows the address of the petitioner in Bareilly, Uttar Pradesh, while the attestation has been done in New Delhi, without mentioning whether the petitioner was in Delhi at the time of attestation of the said affidavit.



8. This Court shall not go into the disputed questions, as regards the title and ownership of the petitioner in the property in question.

9. Taking note of the fact that the MCD has already initiated requisite action against the unauthorized construction in the property in question, no further orders are required to be passed by this Court in the present petition.

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

MINI PUSHKARNA, J

AUGUST 13, 2025

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