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

+ W.P.(C) 12305/2025

KIRAN PAL

.....Petitioner

Through: Ms. Ekta Gambhir, Adv.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Pritish Sabharwal, SC with
Shweta Sigh, Adv. for MCD
Mr. Abhinav Singh and Ms. Bharti
Yadav, Advs. for MCD
Ms. Manika Tripaty, SC with Mr.
Yash Sharma and Mr. Gautam Yadav,
Advs. for DDA
Ms. Shashi Pratap Singh and Ms.
Aishwarya Bhatia, Advs. for R-3

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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28.10.2025

1. The present writ petition has been filed seeking directions to the respondent authorities to remove the illegal occupation and demolish the unauthorized construction at *Bethesda Christian Academy on Gram Sabha Land bearing Khasra No. 961, Bhati Mines Road, Bhati Khurd, New Delhi-110074*.
2. Learned counsel appearing for the Municipal Corporation of Delhi ("MCD") submits that a Status Report has been filed on their behalf yesterday, i.e., 27th October, 2025.



3. He has handed over a copy of the same, which is taken on record.
4. The relevant portions of the said Status Report, read as under:

“xxx xxx xxx

3. That the present Writ Petition has been filed seeking directions to the respondent authorities to remove the illegal occupation and demolish the unauthorized construction at Bethesda Christian Academy on Gram Sabha bearing Khasra No. 961, Bhati Minesh Road, Bhati Khurd, New Delhi – 110074.

4. That so as to ascertain the status of the aforesaid subject property, 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 Bethesda Christian School, Opp. Gate No. 2B, Radha Swami Satsang, Main Road, Bhati, 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. 282/UC/B-II/SZ/2022 dated 30/05/2022 in the shape of Ground floor and First floor and further booked vide U/c File No. 485/UC/B-II/SZ/2025 dated 12/08/2025 in the shape of Second floor and Third floor (in continuation of previous Booking No. 282/UC/B-II/SZ/2022 dated 30/05/2022), for

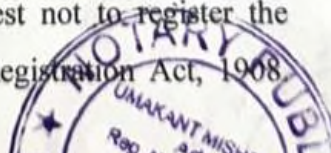


taking the necessary demolition action u/s 343/344 of DMC Act. Upon following the due process of law, the necessary demolition orders have also been passed by the Competent Authority i.e. Assistant Engineer (Bldg)-II of South Zone – MCD vide dated 08/06/2022 and 03/09/2025 respectively. Copy of demolition orders are annexed herewith as **Annexure – A (Colly).**

ii) Furthermore, letters dated 17/06/2022 and 14/08/2025 u/s 344 (2) of the DMC Act – 1957 have also been sent to SHO, PS. Fatehpur Beri, 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 17/06/2022 and 14/08/2025 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 17/06/2022 and 14/08/2025 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) In addition to above, sealing action 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) Furthermore, pursuant to demolition orders already passed in respect of the subject property, the Building Department – II of South Zone / MCD taken / carried out the necessary demolition action vide dated 24/10/2025 and upon availability of police force, 04 RCC panels have been demolished and reinforcement bars cut down with the help of gas cutter. The photographs taken during the aforesaid demolition action are annexed herewith as **Annexure – E (Colly).**

vii) Moreover, after taking the aforementioned demolition action, a letter dated 24/10/2025 has also been sent to concerned, SHO, PS Fatehpur Beri, 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 / reconstructed. Copy of the said letter dated 24/10/2025 is also annexed herewith as **Annexure – G.**

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



for 07/11/2025 which will be taken / carried out
upon availability of police force.

5. Perusal of the aforesaid Status Report, makes it apparent that action against the unauthorized construction in question, has already been initiated by the MCD.
6. The MCD is held bound to take action against the unauthorized construction in accordance with law.
7. In case any party is aggrieved by any action or non-action on the part of the MCD, their rights to seek remedies in accordance with law, is reserved.
8. With the aforesaid directions, the present writ petition is accordingly disposed of.

MINI PUSHKARNA, J

OCTOBER 28, 2025/KR