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

+ W.P.(C) 12526/2025

SUNIL KUMAR

.....Petitioner

Through: Mr. Nitish Chaudhary, Adv. with Mr.
Chetan Lokur, Adv. (Through VC)

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Puneet Rana Patwari, SDM
Office
Mr. Kapil Dutta, Mr. Vansh Luthra
and Mr. Siddharth Parashar, Adv. for
MCD
Mr. Sushil Raaja, SPC for R-1 & 2
(Through VC)
Ms. Urvi Mohan, Adv. for R-3

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

08.09.2025

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1. The present writ petition has been filed seeking direction to respondent nos. 1 and 3 to inspect the premises bearing No. 7A/45, W.E.A., Karol Bagh, New Delhi-110005, and seal the basement of the subject property, where Gym by the name of 'Hardcore Fitness Gym' is being run by respondent no. 2.
2. A Status Report dated 4th September 2025 has been filed on behalf of Municipal Corporation of Delhi ("MCD"), wherein, it has been stated as follows:



“xxx xxx xxx

3. That as per record, the property no. 7A/45, W.E.A., Karol Bagh, New Delhi was inspected by the concerned JE(B)/KBZ on 13.08.2025 and it was found that the basement of the property was being used for commercial purpose in the Name

& Style M/s Hardcore Fitness Gym in violation of the provision of the MPD-2021/without paying the requisite Conversion/Parking Charges/FAR and applicable Rules as notified by the Govt.

4. That a show cause notice u/s 345A of the DMC Act, 1957 vide no. D-392/EE(B)/KBZ/2025 dated 20.08.2025 had been issued to the Owner/Occupier of the basement of the subject property. However, no reply to the show cause notice has been received. Further action in the matter shall be taken in due course of time, as per law. A copy of the show cause notice vide no. D/392/EE(B)/KBZ/2025 dated 20.08.2025 is annexed herewith as **Annexure-A**.

xxx xxx xxx”

3. Considering the aforesaid, it is apparent that the MCD has already initiated action.
4. The MCD is directed to take requisite action, after following the due process of law.
5. In case the owner/occupier of the property in question is aggrieved by any action taken by the MCD, the legal right of the said owner/occupier is reserved.
6. The said owner/occupier can seek its remedies, in accordance with



law.

7. Needless to state, in case the petitioner is aggrieved by any non-action on the part of the MCD, the petitioner can seek its remedies, in accordance with law.

8. With the aforesaid directions, the present writ petition is disposed of.

MINI PUSHKARNA, J

SEPTEMBER 8, 2025/KR