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

+ **W.P.(C) 12800/2025 & CM APPL. 52238/2025**

BHARTI

.....Petitioner

Through: Ms. Charu Dalal and Mr. Choudhary
Amit Bassoya, Advs.

versus

LIEUTENANT GOVERNOR AND ORS.

.....Respondents

Through: Mr. Abhinav Singh, Adv. for R-1 & 3
Ms. Azra Rehman, Mr. Harinder
Singh and Mr. Manoj Chaudhary,
Advs. for R-7 & 12
Mr. Konal Rawat, Adv. for R-3
Mr. Brijesh Yadav, SPC along with
Ms. Nikita and Mr. Shaurya Parashar,
Advs. for R-2

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

22.08.2025

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1. The present writ petition has been filed seeking directions to take demolition action in respect of illegal and unauthorized construction at *Khasra No. 373 (1-0), 105 Sq. Yds out of 250 Sq. Yds., Abadi of Lal Dora of Village Jonapur, Tehsil-Hauz Khas, Also at H.No. 46, Panchalla Mohalla, Village Jonapur, New Delhi-110047.*
2. Responding to the present petition, learned counsel appearing for the respondent-Municipal Corporation of Delhi ("MCD") submits that the unauthorized construction existing in the property in question, has already been booked on 20th August, 2025, and requisite action shall be taken



following the due process of law.

3. Learned counsel appearing for respondent nos. 7 & 12 appears and submits that respondent nos. 7 & 12 are the *bonafide* purchasers of the property in question. She submits that the petitioner herein has no locus to file the present petition, as she is already married and living separately in her matrimonial house.

4. She further submits that the property in question was purchased by respondent nos. 7 & 12 from the step mother of the petitioner herein, who is respondent no.5 herein.

5. Learned counsel for respondent nos. 7 and 12, has further handed over to this Court an order dated 29th April, 2025, passed by the Court of District Judge-05, South, Saket Courts in suit being *CS DJ/712/2022* titled as “*Smt. Bheem Kaur and Ors. Versus Smt. Mithilesh and Ors.*”, to submit that with respect to the property in question, family disputes have been raised by the petitioner, with which the respondent nos. 7 & 12, who are the *bonafide* purchasers have no concern. It is further submitted that the present petition has been filed only with a view to harass respondent nos. 7 & 12.

6. However, the aforesaid submissions are disputed by learned counsel appearing for the petitioners, who submits that the petitioner is also in possession of the property in question.

7. In writ proceedings, this Court would not enter into any disputed questions of fact or any dispute that may have arisen with respect to the share of parties or title thereof, in relation to the property in question. (See: **(2003) 6 SCC 230, Dwarka Prasad Agarwal Versus B.D. Agarwal and Others**)

8. Considering the submissions made by learned counsel appearing for



the MCD that the property in question already stands booked for unauthorized construction, it is directed that requisite action shall be taken by the MCD after following the due procedure and in accordance with law.

9. No further orders are required to be passed in the present writ petition.

10. With the aforesaid directions, the present writ petition along with the pending application, stands disposed of.

MINI PUSHKARNA, J

AUGUST 22, 2025/KR