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

+ **CONT.CAS(C) 1464/2024**

**RAJINDER SINGH TANWAR**

.....Petitioner

Through: Mr. Abhishek Grover, Advocate along  
with petitioner in person.

versus

**MUNICIPAL CORPORATION OF DELHI** .....Respondent

Through: Mr. Sanjeev Sabharwal, Standing  
Counsel for the MCD with Ms. Shweta  
Singh, Advocate.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

**03.12.2025**

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1. This hearing has been done through hybrid mode.
2. The present petition under Sections 11 and 12 of the Contempt of Courts Act, 1971 read with Section 151 of the CPC seeks the following prayers:

- i. Initiate contempt proceedings under the Contempt of Courts Act, 1971 against the Respondent for willful disobedience to the specific undertaking/ statement given before this Hon'ble Court in writ petition bearing W.P. (C) 13995 of 2018 titled "Rajinder Singh Tanwar v. MCD & Anr.";
- ii. Direct the Respondent to take action in compliance with the undertaking given by them on 08.11.2023 to this Hon'ble Court;
- iii. Seal and demolish the unauthorized construction at the property bearing WZ-100, Naraina Village, New Delhi- 110028;
- iv. Impose costs on the Respondent for its inaction and evasive behaviour showing connivance with the Respondent No. 2;
- v. Pass any such other or further order/ orders which the this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."



3. *Vide* order dated 08.11.2023 in W.P.(C) 13995/2018, the learned Single Judge of this Court had passed the following directions:

“3. As far as the other parts of the subject property are concerned, Ms. Shweta Singh, learned counsel for MCD, has filed a status report with regard to action taken and states that further action will be taken expeditiously and in accordance with law, as there is no order of stay in that regard. She submits that at present, demolition action is impermissible in view of the Graded Response Action Plan guidelines [“GRAP”], but states that after the lifting of the GRAP restrictions, action will be initiated within a period of eight weeks.”

4. The status report dated 26.10.2024 on behalf of the MCD has been placed on record, wherein, it is stated as under:

“11. That WPC No. 13995/2018 titled as Rajinder Singh Tanwar Vs North DMC had been filed before Hon’ble High Court of Delhi seeking directions upon Municipal Corporation of Delhi to take action for demolition of unauthorized construction in property no. WZ-100, Naraina Village, New Delhi. The Hon’ble Court vide order dated 11.09.2023 directed the MCD to maintain status quo regarding the parts of the premises in occupation of Smt. Snehlata and Smt. Sheetal until 30.09.2023.

12. That the Hon’ble Court vide its order dated 08.11.2023 further directed that status quo will be continued as far as the parts of the subject property in the occupation of Respondent No. 2/Smt. Snehlata and intervenor-Smt. Sheetal until disposal of the appeals by the Ld. Principal District and Sessions Judge and thereafter parties will be bound by the orders passed in the appeals.

13. That the Municipal Corporation of Delhi has already taken demolition action against third floor and fourth floor existing in the property no. W2-100, Naraina Village and the said floors have been made completely inhabitable.

14. That the property had been inspected by the concerned JEI/B/K.BL on 21.10.2024. The third floor and fourth floor of the property are lying demolished and inhabitable. The photographs taken during inspection dated 21.10.2024 are annexed herewith as **Annexure-A** (colly)

15. That the appropriate action in respect ground floor, first floor and second floor which are in occupation of Smt. Snehlata and Sml.



Sheetal shall be taken as per law and order passed by the Ld. PO ATMCD in Appeal No. 98/2019.”

5. Subsequently, an additional status report dated 25.07.2025 had been placed on record wherein further action taken by the MCD has been stated in the following manner:

“11. That the Property No. WZ-100, Naraina Village, New Delhi has also been inspected by the concerned JE(B)/KBZ on 22.07.2025. During inspection, it has been noticed that the portion of the property earlier demolished by the department is lying in the same condition. The photographs taken during inspection dated 22.07.2025 are annexed herewith as **Annexure-D** (colly.).

12. That demolition programme against the property had been fixed for 07.05.2025 but action could not be taken due to non-availability of police force. Further demolition action had been fixed for 27.06.2025 but action could not be taken as the property was found residentially occupied. Accordingly, a vacation notice vide no. D/AE(B)/KBZ/2025/1464 dated 02.07.2025 had been issued to owner/occupier/Smt. Sneh Lata and Smt. Sheetal to vacate the property so that demolition action against the property could be taken.

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15. That in compliance of the directions passed by the Hon’ble Court in Paras No. 21 and 22 of the order dated 10.07.2025, a demolition action against the property i.e. partly demolished floors in the property has been fixed for 28.07.2025.”

6. In the said status report, it has been pointed out that *vide* order dated 10.07.2025 in CM APPL. 40017/2025 in W.P.(C) No. 13995/2018, the learned Single Judge of this Court passed the following order with respect to the occupiers of the ground floor:

“15. Therefore, it is noted that after remand of the matter back to the ATMCD, the appeal of the applicant herein is pending before the learned ATMCD. Accordingly, it is directed that no coercive action shall be taken by the MCD against the property of the applicant, i.e., Smt. Sheetal, till the disposal of the appeal before the learned ATMCD.”



7. Thereafter, in pursuance of the aforesaid order, another compliance report dated 20.08.2025 has been placed on record by the MCD, wherein it has been recorded as under:

“2. That the present report is being filed in compliance of the directions passed by the Hon’ble Court vide order dated 29.07.2025.

3. That in continuation of earlier reports filed in the present matter, it is submitted that a demolition programme against the property had been fixed on 05.08.2025 and demolition action taken with the help of Police Force P.S. Naraina and demolition squad. During action demolition was done on fourth floor by demolishing 03 Nos. of RCC beams and 02 Nos. of partition walls. Further, reinforcement was cut using gas cutter.

4. That further demolition programme against the property had been fixed on 06.08.2025 and demolition action taken with the help of Police Force P.S. Naraina and demolition squad. During action demolition was taken on third floor of the property. During action 02 Nos. of RCC beams and 02 Nos. of partition walls were demolished. Further, reinforcement was cut using gas cutter.

5. That after the above demolition action, the third floor and fourth floor of the property had been made completely uninhabitable. It is further submitted that further demolition action at third and fourth floor may result in damage to the neighbouring property as well as lower floors of the subject property which are under protection. The photographs of the property taken during demolition actions on 05.08.2025 and 06.08.2025 are annexed herewith as **Annexure-A.**”

Photographs annexed with the aforesaid compliance report are also reproduced bellow:



*This is a digitally signed order.*

*The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.*

*The Order is downloaded from the DHC Server on 06/12/2025 at 12:06:38*



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*The Order is downloaded from the DHC Server on 06/12/2025 at 12:06:38*



8. It is pointed out that the appeal preferred by the aforesaid, Ms. Sheetal are still pending before the ATMCD and therefore directions in para 15 by the learned Single Judge *vide* order dated 10.07.2025 remains in force.

9. In these circumstances, the present petition is disposed of with directions to the MCD to take necessary actions in accordance with law with respect to the upper ground floor and first floor, which are in occupation of Ms. Sheetal, in pursuance of the aforesaid status report dated 26.10.2024 subject to the outcome of the appeals filed by the aforesaid, Ms. Sheetal.

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

11. Needless to say that MCD shall take action against property of any person with regard to whom there is no order of granting stay or protection by any Court.

**AMIT SHARMA, J**

**DECEMBER 3, 2025/bsr/sg**