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

+ W.P.(C) 13113/2025

ATUL KUMAR

.....Petitioner

Through: Mr. Shanu Ansari, Advocate

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Mr. Vinod Kumar Khanna, Advocate
for MCD (through VC)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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15.09.2025

1. The present writ petition has been filed seeking directions to the respondent to remove the unauthorized construction in the property bearing No. 4178-4185, Pahari Dhiraj, Sadar Bazar, Delhi-110006.
2. A Status Report dated 03rd September, 2025 has been filed on behalf of Municipal Corporation of Delhi ("MCD"), wherein, it is stated as follows:

"xxx xxx xxx

3. That it is submitted that during inspection on 19.08.2025 by the field official of the MCD, it has been noticed that owner/builder of the property is carrying out unauthorized construction in the property bearing no.4178-4185, Gali Barna, Sadar Bazar, Delhi-110006, therefore a work stop notice dated 19.08.2025 was issued to SHO P.S. Sadar Bazar to ensure that no further unauthorized construction is carried out in the property in question. A copy of work stop notice dated 19.08.2025 is annexed herewith as **Annexure-A**.



4. That it is submitted that thereafter on 28.08.2025 the unauthorized construction in the shape of ground floor was noticed and as such the same was booked under section 344(1) & 343 of the DMC Act vide file no. 173/72/B/UC/EE(B)-I/CSPZ/2025 dated 28.08.2025. Accordingly, a show cause notice dated 28.08.2025 was issued to Sh. Ved Prakash/ Owner/ Builder to show cause as to why demolition order be not passed in respect of aforesaid unauthorized construction. A copy of show cause notice dated 28.08.2025 is annexed herewith as **Annexure-B**. It is submitted that in order to restrict further unauthorized construction being carried out in the subject property a work stop notice vide no. D/AE(B)/CSPZ/2025/675 dated 01.09.2025 has been issued to the SHO P.S. Sadar Bazar. A copy of work stop notice dated 01.09.2025 is annexed herewith as **Annexure-C**.

5. That it is submitted that further action in the matter shall be taken in accordance with law after completion of the statutory period granted in the show cause notice issued to the Sh. Ved Prakash.

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3. Perusal of the aforesaid Status Report clearly shows that the unauthorized construction in the property in question, has already been booked and a Show Cause Notice dated 28th August, 2025 has been issued.

4. Further, a Work Stop Notice dated 01st September, 2025 has also been issued in this regard.

5. Accordingly, MCD is bound to take action against the unauthorized construction existing in the property in question, after following the due procedure, in accordance with law.

6. In case, any of the parties are aggrieved by any action or non-action on the part of the MCD, they shall be at liberty to seek their remedies in



accordance with law.

7. Noting the aforesaid, the present writ petition is disposed of.

MINI PUSHKARNA, J

SEPTEMBER 15, 2025

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