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

+ **W.P.(C) 13115/2025 & CM APPL. 53675/2025**

SUKENDER SINGH

.....Petitioner

Through: Dr. Suman Chaudhary, Mr.
Vishvender Singh, Mr. Ashish
Godara, Advocates (M:9711118353)

versus

MUNICIPAL CORPORATION OF DELHI & ANR.....Respondents

Through: Mr. Ashutosh Gupta, ASC-MCD
(M:9891826827)
Ms. Nitika Bhutani, Panel Counsel-
GNCTD

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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28.08.2025

1. The present writ petition has been filed seeking directions to respondents to take action against the encroachment and illegal/unauthorized construction raised in the property bearing *House No. 64, situated in the Revenue Estate of Village Mohammad Pur Munirka, Delhi.*
2. Learned counsel for the petitioner submits that the petitioner has also filed a suit bearing *CS SCJ No. 634/2025* in the District Court, Patiala House. However, despite the interim stay order dated 25th July, 2025, passed by the District Court, Patiala House, in the said suit, the unauthorized construction is still going on, due to which the present writ petition has been filed.
3. Learned counsel for the Municipal Corporation of Delhi ("MCD"), on advance notice, submits that unauthorized construction in the property in



question, has already been booked and a Show Cause Notice in regard thereto, has also been issued. Additionally, a Work Stop Notice has also been issued by the MCD.

4. He further submits that since the petitioner has already filed a suit on the same cause of action, the petitioner cannot maintain two parallel proceedings.

5. Having heard learned counsels for the parties, this Court notes that the petitioner has already filed a civil suit bearing CS No. 634/2025, titled as “*Sh. Sukender Singh Versus Sh. Kuldeep & Ors.*”, which is pending before the Civil Judge, Patiala House Courts.

6. This Court further takes note of the fact that the stay order dated 25th July, 2025, has been passed by the District Court, Patiala House, wherein, it is directed that the *status quo* shall be maintained with respect to the construction in question.

7. This Court also takes note of the submissions made by learned counsel for the petitioner that despite the stay order passed by the District Court, Patiala House, further unauthorized construction is being carried out.

8. Accordingly, the concerned officials of the MCD and the local Police are directed to ensure that no further unauthorized construction takes place in the property in question.

9. A Status Report in this regard shall be filed by the MCD in the District Court Patiala House, where the civil suit filed by the petitioner herein is already pending.

10. Let the needful be done by the MCD, within a period of two weeks from today.

11. Needless to state that MCD shall take appropriate action against the



unauthorized construction and encroachment, after following the due procedure and in accordance with law.

12. Noting the aforesaid, the present writ petition, along with pending application, is accordingly disposed of.

AUGUST 28, 2025/au

MINI PUSHKARNA, J