



\$~48

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

+ W.P.(C) 13599/2025

SMT ZEENAT BEGAM

.....Petitioner

Through: Mr. Sushil Sharma, Ms. Vrinda Gupta
and Ms. Akanksha chaurasia,
Advocates (through VC)

versus

THE MUNICIPAL CORPORATION OF DELHI THROUGH ITS
COMMISSIONER & ORS.

.....Respondents

Through: Ms. Kritika Gupta and Ms. Vidushi
Singhania, Advocates for R-DDA
Mob: 8826331177
Email: kritika0504@gmail.com
Mr. K.N. Mishra, Sr. Panel Counsel
with Mr. Shubhashish Roy and Ms.
Manisha, Advocates for R-3
Mob: 9871288082
Email: knmishra.adv@gmail.com
Mr. Harshit Chopra, Advocate for R-1
Email: advharshitchopra@gmail.com
Mob: 9911543883

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

%

04.09.2025

1. The present writ petition has been filed seeking a prayer for restraining respondent no. 4 from carrying out any illegal/unauthorized construction at the roof of *Flat No. 106-A, First Floor, Pocket D-1, Kondli, Gharoli, District-East Delhi-110096*, with a further prayer for directions to respondent nos. 1 and 2, to demolish the illegal and unauthorized built up structure constructed by respondent no. 4 in the property in question.



2. Responding to the present writ petition, learned counsel appearing for respondent no. 1-Municipal Corporation of Delhi (“MCD”) submits that the unauthorized construction in the property in question has already been booked on 01st September, 2025, for deviations and excess coverage. He submits that upon issuance of a notice, a date has been fixed for hearing of respondent no. 4 on 12th September, 2025.
3. Learned counsel appearing for respondent-MCD submits that requisite action shall be taken against the unauthorized construction in the property in question, after following the due procedure.
4. At this stage, learned counsel appearing for the petitioner draws the attention of this Court to the photographs attached with the present petition, two of which, are reproduced as under:



5. By referring to the aforesaid, learned counsel appearing for the petitioner submits that unauthorized construction is still going on in the



property in question.

6. Accordingly, considering the submissions made before this Court, respondent no. 4, i.e., owner/occupant is restrained from carrying out any unauthorized construction in the property in question.

7. The MCD and Station House Officer (“SHO”), Police Station, New Ashok Nagar, shall ensure that no further unauthorized construction takes place in the property in question.

8. Further, this Court takes note of the submission of learned counsel appearing for the MCD that the property in question has already been booked for unauthorized construction in the shape of deviations and excess coverage.

9. Accordingly, it is directed that requisite action shall be taken by the MCD, after following the due procedure in accordance with law.

10. In case, the petitioner is aggrieved by any non-action on the part of the MCD, the petitioner shall be at liberty to seek his remedies, in accordance with law.

11. Likewise, in case, respondent no. 4 is aggrieved by any action on behalf of the MCD, the right of respondent no. 4, to seek his remedies in accordance with law, is reserved.

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

MINI PUSHKARNA, J

SEPTEMBER 4, 2025/ak