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

+ **W.P.(C) 13672/2025, CM APPL. 56065/2025 & CM APPL. 56066/2025**

MOHD. ABDUL SHAKIL

.....Petitioner

Through: Mr. Kartik Venu, Mr. R. Jude Rohit
and Mr. Aryaman Nehra, Advs.
Mob: 9655612276
Email: rjuderohitadv@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Gaganmeet Singh Sachdeva, SC
for MCD with Mr. Harshpreet Singh
Chadha and Mr. Hridyesh Khanna,
Advs.
Mob: 9582055425
Email: gaganmeet3@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

04.09.2025

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1. The present writ petition has been filed seeking quashing and setting aside of the Demolition Order dated 14th August, 2025, issued by the respondent-Municipal Corporation of Delhi ("MCD"), in respect of petitioner's residential property bearing *DDA Flat No. L-60, 3rd floor, Pocket L, Sarita Vihar, New Delhi-110076*.

2. It is submitted that the petitioner has been residing in the property in question with his family since the year 2004. Learned counsel appearing for the petitioner submits that the petitioner carried out only some construction



work in respect of a wall on the terrace of the third floor, which has already been stopped upon notice of the respondent-MCD.

3. It is submitted that though the Notice for personal hearing fixed a date for 24th July, 2025, the petitioner received the Notice only on 26th July, 2025, i.e., two days after the date of hearing had already lapsed.

4. Subsequently, the petitioner received the Demolition Order dated 14th August, 2025, after which the petitioner sought personal hearing from the respondent-MCD.

5. Learned counsel appearing for the petitioner submits that since there is no Presiding Officer in the Appellate Tribunal MCD (“ATMCD”), the present writ petition has been filed.

6. Issue notice. Notice is accepted by learned counsel appearing for the respondent-MCD, who submits that Demolition Order has been passed after following the due procedure.

7. At this stage, learned counsel appearing for the petitioner submits that the petitioner shall be satisfied if the petitioner is granted an opportunity of hearing by the respondent-MCD.

8. Considering the submissions made before this Court, it is directed as follows:

- (i) The Demolition Order dated 14th August, 2025 is suspended for a period of four weeks, from today.
- (ii) The petitioner is directed to approach the Office of the Assistant Engineer, Building-II, Central Zone, MCD, for hearing on 08th September, 2025, at 11 A.M.
- (iii) The petitioner shall comply with any direction issued by the MCD during the time of hearing, for removing any unauthorized



construction.

(iv) The petitioner is granted liberty to file an application for regularization of the construction, which shall be considered by the respondent-MCD, in accordance with law, on its own merits.

(v) A speaking order shall be passed thereupon, which shall be duly communicated to the petitioner.

(vi) In case, the petitioner is aggrieved by any speaking order, the petitioner shall be at liberty to seek his remedies, in accordance with law.

9. With the aforesaid directions, the present writ petition, along with the pending applications, is accordingly disposed of.

MINI PUSHKARNA, J

SEPTEMBER 4, 2025/SK