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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 14234/2025, CM APPLs. 58393/2025, 61514/2025

GAUTAM GUPTA

.....Petitioner

Through: Mr. Vikas Tomar, Mr. Uzair Elahi,
Adv.

versus

STATION HOUSE OFFICER & ORS.

.....Respondents

Through: Ms. Suruchi Mittal (SPC) for R1.
Ms. Kanu Agarwal, Ms. Aishwarya
Srivastava, Adv. for R3.
Mr. Abhishek Kandwal, Adv. for R5.
Ms. Urvi Mohan, Adv. for Fire
Department/ GNCTD.
Mr. Puneet Yadav (SC) for MCD.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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09.10.2025

1. The present petition has been filed by the petitioner raising the following prayers:-

“a) Issue a Writ of Mandamus or any other appropriate writ, order or direction to the Respondent No. 1 to ensure compliance of work stoppage notice dated 25.08.2025 issued by MCD to ensure that entire construction work going on at the premises M-5, Hauz Khas, New Delhi be stopped immediately and the further direct the Respondent No. 1 to seal the premises so that no further construction is done.

b) Issue a Writ of Mandamus or any other appropriate writ, order or direction to the respondent no. 2 not to issue FIRE NOC for the premises bearing no. M-5, Hauz Khas, New Delhi for running or carrying out any commercial activity from the said premises and if any such permission is already granted then the same shall be directed to be cancelled;”

2. An interim order dated 16.09.2025 came to be passed in the present proceedings, which was modified *vide* order dated 26.09.2025.

3. Respective counsel for the parties submits that the interim order as



modified, has worked itself out. In terms thereof, the property in question has been inspected by the Municipal Corporation of Delhi (MCD)/respondent no. 4.

4. It is submitted that the respondent no. 4/MCD has confirmed during the course of contempt proceedings (i.e. CONT CAS(C) 1329/2025), which was initiated by the petitioner, that the construction/ renovation work in the concerned premises is confined to the interiors of the property and there is no ongoing unauthorised construction.

5. *Vide* paragraph no. 16 of the order dated 26.09.2025, it has already been directed that the respondent no. 4/MCD shall regularly inspect the premises in question to ensure that no unauthorised construction is carried out in the property in question. The said directions shall continue to operate; MCD shall continue to be vigilant to prevent any unauthorized construction.

6. Learned counsel for the petitioner submits that the property in question has already been booked by the MCD. Needless to say, the proceedings initiated by the MCD shall be taken to their logical conclusion, in accordance with law.

7. The above effectively redresses the grievance/ apprehension of the petitioner regarding unauthorised construction being carried out in the property in question.

8. As regards the second prayer, *viz*, with regard to the issuance of 'Fire No-Objection Certificate' of the premises bearing no. M-5, Hauz Khas, New Delhi, it is submitted by learned counsel for Delhi Fire Service/respondent no. 2, that processing of any application that may be submitted for issuance of 'NOC' shall strictly be in accordance with extant rules and regulations. The said statement is taken on record. The same effectively redresses the



second prayer of the petitioner.

9. It is clarified that the directions contained in paragraph nos. 13 and 14 of the order dated 26.09.2025 shall continue to operate. In terms thereof, the respondent nos. 3 and 5 are permitted to let out the premises for lawful purposes and for permissible use, subject to compliance with all extant municipal rules and regulations.

10. The petition is disposed of in the above terms. Pending applications also stand disposed of.

SACHIN DATTA, J

OCTOBER 9, 2025/uk