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

+ W.P.(C) 14506/2025 & CM APPL. 59457/2025, CM APPL. 59458/2025

SH. ABDULLAH RASHEED

.....Petitioner

Through: Ms. Sana Ansari, Mr. Tanveer and
Mr. I. Ahmed, Advocates
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versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Mr. Ashutosh Gupta, ASC for MCD
(through VC)
Mr. Dinesh Malik, Panel Counsel,
GNCTD with Mr. Puneet Jain,
Advocate for R-2 (through VC)
Mr. G.S. Oberoi, ASC with Ms.
Shaifali Jain, Mr. J. S. Oberoi,
Advocates for DDA
Mob: 9811667770
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Mr. Varun Vats, SPC for R-3
Mob: 9654333800
Mr. Anil Sharma, Mr. Aman
Bhardwaj, Mr. Arpit Sharma, Ms.
Kusum, Advocates for R-6
Mob: 9899123578
Mr. Arujun Mahajan, SC with Mr.
Apoorv and Mr. Harsh Vashist,
Advocates for DDA
Mob: 9810047321

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA



ORDER
18.09.2025

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1. The present writ petition has been filed seeking directions to respondent nos. 1 to 4 to take action against the unauthorized construction being raised just above the roof of the third floor of the property bearing no. 8926, *Naya Mohalla, Pul Bangash, Azad Market, Delhi-110006*, in the shape of the fourth floor.
2. Responding to the present writ petition, learned counsel appearing for respondent no. 1-Municipal Corporation of Delhi (“MCD”), submits that the MCD has already inspected the property in question, and found unauthorized construction being raised over the third floor of the property in question.
3. He, thus, submits that a Work Stop Notice has already been issued, pursuant to which, the owner/occupier of the third floor of the property in question, has already assured the MCD that he shall remove the walls from the terrace of the third floor of the property in question.
4. Learned counsel appearing for the MCD further submits that in case, the owner/occupier of the third floor of the property in question does not himself remove the unauthorized construction, requisite action shall be taken by the MCD, after following the due process of law.
5. The aforesaid statement is taken note of and MCD is held bound to take action against the unauthorized construction carried out in the property in question, in accordance with law.
6. The MCD as well as Station House Officer (“SHO”), Police Station- Bara Hindu Rao, shall ensure that no further unauthorized construction takes place in the property in question.



7. In case, the petitioner is aggrieved by any non-action on the part of the MCD, the petitioner has the liberty to approach the Special Task Force (“STF”) as constituted by the Supreme Court, in terms of the orders passed by the Division Bench of this Court in the case of ***Devender Versus Govt. of NCT of Delhi and Ors.***, and other connected matters in ***W.P.(C) 1807/2018***, and ***Fazruddin Versus DDA and Ors.***, in ***W.P.(C) 4649/2017***.

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

MINI PUSHKARNA, J

SEPTEMBER 18, 2025/ak