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

+ W.P.(C) 14508/2025 & CM APPL. 59464/2025, CM APPL. 59465/2025

MOHD. ASIF

.....Petitioner

Through: Mr. Bahar U. Barqui, Advocate
Mob: 9811042858

versus

MR. PARVEEN KUMAR & ORS.

.....Respondents

Through: Ms. Shilpa Ohri, Mr. Gaganmeet Singh Sachdeva, Mr. Harshpreet Singh, Advocates and Mr. Sanjiv Kaushik, AE for MCD
Mob: 9582055425
Mr. Sanjeev Sabharwal, SPC for UOI
Mob: 9810031680
Email: solicitor6@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **18.09.2025**

1. The present writ petition has been filed seeking directions for restraining the respondent no. 1 from dispossessing the petitioner from the plot bearing no. B-371, forming part of *Khasra No. 57/12/1, Southern Portion*, situated at *Village Karawal Nagar, Illaqa Shahdara, Delhi-110094*.
2. Learned counsel appearing for the petitioner submits that as regards the action of demolition taken by the Municipal Corporation of Delhi ("MCD"), the petitioner shall seek his remedy before the Appellate Tribunal MCD ("ATMCD").
3. He submits that he has approached this Court only on account of the



fact that the petitioner is being threatened to be dispossessed from the property under his possession.

4. He submits that a civil suit bearing CS(OS) 559/2025, is pending between the respondent no. 6 and the petitioner, wherein, the respondent no. 6 has filed a suit seeking possession of the property in question.

5. He draws the attention of this Court to the prayer made in the said civil suit filed on behalf of respondent no. 6 herein, and one of the prayers with regard to possession, reads as under:

“xxx xxx xxx

(iv) Pass the decree of possession in the favor of plaintiff and against the defendant No. 1 and 2 qua property forming part of Khasra No.57/12/1, Southern Portion, situated at Village Karawal Nagar, Illaqa Shahdara, (facing Yamuna-Puri, Karawal Nagar Road), Delhi-110094, thereby directing the said defendants to hand over the physical and peaceful possession of the suit property to the plaintiff and to hold that the alleged documents of title as are/ were propounded by the Defendants No. 1 & 2 were not lawfully executed by the owner or his alleged attorney for consideration and do not confer any ownership rights in favour of Defendants No.1 & 2 in any manner whatsoever and the Defendants No.1 & 2 may be directed to handover the vacant and peaceful possession of the suit property to the Plaintiff with costs.

xxx xxx xxx”

6. Thus, learned counsel appearing for the petitioner submits that it is an admitted fact that the petitioner is in possession of the property in question.

7. Responding to the present writ petition, learned counsel appearing for respondent no. 6 submits that a civil suit is already pending, wherein, the respondent no. 6 is claiming possession of the property in question. He submits that the respondent no. 6 is the actual owner of the property in question.



8. Considering the submissions made before this Court, and without issuing notice in the present matter, it is directed that since a civil suit is pending between the petitioner and respondent no. 6 herein, wherein, the respondent no. 6 has claimed possession over the property in question from the petitioner herein, it is directed that the petitioner herein shall not be dispossessed, without following the due process of law.
9. Needless to state, this Court has not gone into the issue of right, title and interest in the property in question.
10. It is further directed that the petitioner shall not carry out any further unauthorized construction in the property in question.
11. Noting the aforesaid, the present writ petition, along with the pending applications, is disposed of.

MINI PUSHKARNA, J

SEPTEMBER 18, 2025/ak