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

+ **W.P.(C) 14937/2025 & CM APPL. 61496/2025**

BABY DEVI

.....Petitioner

Through: Mr. Amit Nayyar and Mr. Sunil
Kumar, Advs. (Through VC)

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Namrata Mukim, SC with Ms.
Sakshi Saxena and Ms. Niharika
Singh, Advs. for MCD (Through VC)
Mr. Tanveer Ahmed Ansari, SPC for
R-3 (Through VC)
Mr. Umesh Chandra Sharma, Mr.
Peeyush Kaushik and Mr. Munish K.
Gaur, advs. for R-2

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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17.12.2025

1. The present writ petition has been filed seeking directions to the respondent no. 1, i.e., Municipal Corporation of Delhi ("MCD"), to demolish the unauthorized construction being carried out by respondent no. 2 in *House No. 129, Khasra No. 36/4/2, Gali No. 5, Ramesh Tyagi Colony, Delhi-84*.

2. A Status Report dated 03rd November, 2025 had earlier been filed on behalf of the MCD, as per which, a Show Cause Notice dated 23rd September, 2025, was issued and hearing was being granted to the



respondent no. 2.

3. Today, learned counsel appearing for the MCD submits that a Demolition Order dated 21st November, 2025, has been passed and requisite action shall be taken by the MCD against the unauthorized construction.

4. Learned counsel appearing for respondent no. 2, i.e., owner/occupier of the property in question, submits that he shall challenge the said Demolition Order.

5. He further submits that construction is old and is protected under the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011.

6. However, the aforesaid statement is disputed by learned counsel appearing for the MCD, as well as the petitioner.

7. Be that as it may, liberty is granted to respondent no. 2 to file an appeal before the Appellate Tribunal MCD (“ATMCD”), challenging the Demolition Order dated 21st November, 2025 passed by the MCD.

8. The MCD is enjoined upon to take requisite action against the unauthorized construction, in a time bound manner, subject to any orders that may be passed by the ATMCD.

9. Rights and contentions of the parties are left open.

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

MINI PUSHKARNA, J

DECEMBER 17, 2025/KR