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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 15137/2025, CM APPL. 62154/2025 & CM APPL.
62155/2025

SH CHANDAN LAL AND ANR.Petitioners

Through: Mr. Praveen Suri and Ms. Harshita
Maheshwari, Advs.
Mob: 9810928188
Email: praveensuri73@gmail.com

versus

THE COMMISSIONER MCD AND ORS.Respondents

Through: Mr. Kapil Dutta and Mr. Siddharth
Parashar, Advs. for R-MCD
Mob: 9811135509
Email: kapilduttamcd@gmail.com
Mr. Umang Tyagi, Ms. Diksha Punia
and Mr. Sanyam Dahiya, Advs. for R-
2.
Mob: 9999178173
Email: office@umangtyagi.com

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
13.10.2025

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1. The present writ petition has been filed seeking directions to the Municipal Corporation of Delhi ("MCD"), to take action against the unauthorized construction and encroachment in respect of property bearing No. WZ-92A, Todapur Village, New Delhi-110012.
2. Learned counsel appearing for the MCD submits that the aforesaid property has already been inspected and the same constitutes ground floor,



first floor, second floor and part fourth floor. He submits that no current on-going construction was found.

3. He submits that since there was no Sanctioned Building Plan with respect to the property in question, the department is under the process of issuing the Show Cause Notice to the respondent no. 2.

4. At this stage, learned counsel appearing for respondent no. 2 submits that the construction in the property in question is old and occupied, and is therefore protected under the Delhi Special Laws (Amendment) Act, 2011.

5. Accordingly, it is directed that requisite action, if required, shall be taken by the MCD, after following the due process, in accordance with law.

6. In case, the petitioner is aggrieved by any non-action on the part of the MCD, the petitioner shall be at 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***.

7. In case, respondent no. 2 is aggrieved by any action on the part of the MCD, their right to seek remedies, in accordance with law, is reserved.

8. The outcome of the proceedings before the MCD with regard to the property in question shall be duly communicated to the petitioner, through petitioner’s counsel, on the E-mail, which is reflected in today’s order.

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

MINI PUSHKARNA, J

OCTOBER 13, 2025/SK