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

+ W.P.(C) 15831/2025

MOHD TASLIM

.....Petitioner

Through: Mr. Nikhil Tuteja and Mr. Atul
Bhojane, Advs. (Through VC)

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Sahil Munjal, SPC with Ms. Rhea
Gandhi, Adv. for R-4
Mr. Ashutosh Gupta, ASC for MCD

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **15.10.2025**

1. The present writ petition has been filed seeking directions to respondent nos. 1 to 4, for taking action against the unauthorized construction being carried out by respondent no. 5 in the property bearing *No. 1525, Gali Kotana, Suiwalan, Daryaganj, Delhi-110002*.
2. Responding to the present writ petition, learned counsel appearing for the respondent-Municipal Corporation of Delhi ("MCD"), submits that the construction was found to be carried out on terrace of the third floor, i.e., in the form of fourth floor.
3. He further submits that though the property from stilt to third floor is an old construction, however, since there was no Sanctioned Building Plan, the same has been booked.
4. Learned counsel appearing for the MCD further submits that since



Show Cause Notice has been issued to the owner/occupier/builder of the property in question, requisite action shall be taken after following the due procedure.

5. Considering the submissions made before this Court, the MCD is held bound to take action against the unauthorized construction in the property in question after following the due procedure and in accordance with law.

6. In case of any ongoing unauthorized construction, the same shall be stopped forthwith with the assistance of the local police of Police Station- Chandani Mahal.

7. 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.***, in ***W.P.(C) 1807/2018*** and ***Fazruddin Versus DDA and Ors.*** in ***W.P.(C) 4649/2017***.

8. Likewise, in case, respondent no. 5 owner/occupier/builder of the property in question is aggrieved by any action on the part of the MCD, the right of respondent no. 5 to seek remedies, in accordance with law, is reserved.

9. With the aforesaid directions, the present writ petition is accordingly disposed of.

MINI PUSHKARNA, J

OCTOBER 15, 2025/KR