



\$~38

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

+ W.P.(C) 16180/2024

SHRI PUNEET KUMAR

.....Petitioner

Through: Mr. Manoj Kumar Khanna and Mr.
Manish Chauhan, Advs. (Through
VC)

versus

THE COMMISIONER, MCD AND ORS.

.....Respondents

Through: Ms. Zeba, Adv. for R-3 (Through
VC)
Mr. Siddhant Nath, SC with Mr.
Bhavishya Makhija and Mr. Amaan
Khan, Advs. for MCD
M: 7403666667

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

16.04.2025

%

1. The present petition has been filed seeking directions to respondent nos. 1 and 2 for demolition of the illegal construction at *property no. 222, Hauz Rani, Malviya Nagar, New Delhi.*

2. In pursuance to the order dated 22nd November, 2024, a Status Report has been filed on behalf of the Municipal Corporation of Delhi ("MCD"), wherein, it is stated as follows:

"xxx xxx xxx

4. That further so as to ascertain the latest status of the subject property, on its inspection by the area field staff of Building Department-I of South Zone-MCD on 22/11/2024, it has been noticed that the property consists of Ground floor to Third floor. During the said inspection it has also



been noticed that the earlier sealed 02 points at Third floor are still lying sealed whereas 01 sealing point found tampered with and earlier demolished 03 RCC panels on roof of Third floor are also lying demolished in terms of earlier demolition action. Whereas, out of 02 earlier sealed point at Second floor, 01 earlier sealed point has been found tampered with. Photographs taken during the aforesaid inspection are annexed herewith as Annexure- J (Colly).

xxx xxx xxx

6. That pursuant to the demolition /sealing orders already passed in respect of the subject property, the Building Department -I of South Zone - MCD has also carried out further necessary sealing action on 06/12/2024 and during the course of action 01 point on First floor (rear side) of the property has been sealed upon availability of police force. Photographs taken during the aforesaid sealing action are annexed herewith as Annexure- K (Colly).

xxx xxx xxx”

3. Learned counsel appearing for the MCD submits that the property in question is lying sealed since 07th July, 2015.
4. Attention of this Court has been drawn to the action taken by the MCD, in the property in question, from time to time.
5. It is further submitted that the property in question is lying sealed, even today.
6. Learned counsel appearing for respondent no.3 reiterates the said fact, and submits that the property in question is lying sealed.
7. However, learned counsel appearing for the petitioner at this stage submits that in its Status Report, the MCD has stated that further action is to be taken. Accordingly, it is directed that any further action to be taken by the MCD *qua* the property in question, shall be taken appropriately, in accordance with law.
8. It is further directed that in case, the petitioner is aggrieved by any non-action on the part of the MCD, the petitioner is at liberty to approach the Special Task Force (“STF”), constituted by the Supreme Court.



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

MINI PUSHKARNA, J

APRIL 16, 2025/kr