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

+ W.P.(C) 18138/2025 & CM APPL. 75029/2025

AVNISH KUMAR

.....Petitioner

Through: Mr. V.K. Mantoo, Ms. Niharika Mantoo, Mr. Deepak Sharma, Ms. Deepika and Mr. Suraj Kumar, Advs.
Mob: 8802405140
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versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Rohit Kathuria, Mr. Dhruv Varma and Mr. Harshit Sharma, Advs. for R-1/MCD
Mob: 9717948948
Mr. Ramjee Pandey, SPC for R-2/UOI
Mob: 9911269778
Email: ramjeepandey72@gmail.com
Ms. Shashi Pratap Singh, Ms. Shagun Sabharwal, Ms. Aishwarya Bhatia and Ms. Anamika Tyagi, Advs. for R-3/STF
Mob: 9560536975
Email: shashipratapsingh@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

01.12.2025

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1. The present writ petition has been filed praying for directions to the respondent nos. 1 to 3, to take action against the property bearing *House No. 9792, Ahata Thakur Dass, Sarai Rohilla, Delhi-110005.*



2. Learned counsel appearing for the petitioner submits that the petitioner is one of the co-sharers of the property, which he has inherited from his father.
3. He submits that respondent nos. 4 to 10, are also co-sharers, who have demolished the existing construction and have started carrying out unauthorized construction in the property in question with some builder.
4. Responding to the present writ petition, learned counsel appearing for the respondent no.1-Municipal Corporation of Delhi (“MCD”), submits that the property in question already stands booked on 26th November, 2025 and has handed over a copy of Show Cause Notice dated 26th November, 2025, which has been issued with respect to unauthorized construction in the property in question.
5. As per the Show Cause Notice, the entire structure from ground floor to fourth floor is unauthorized, with projection on government land.
6. Learned counsel appearing for the respondent no.1-MCD submits that requisite action shall be taken against the unauthorized construction in question, after following the due procedure.
7. Learned counsel appearing for the respondent no. 3-Special Task Force (“STF”) submits that the complaint received on behalf of the petitioner, already stands marked to the MCD.
8. He further submits that the STF is seized of the matter and shall ensure that requisite action is taken against the unauthorized construction, in accordance with law.
9. At this stage, learned counsel appearing for the petitioner submits that unauthorized construction is still going on in the property in question.
10. Learned counsel appearing for the Station House Officer (“SHO”),



Police Station-Sarai Rohilla, submits that they shall ensure that no further unauthorized construction takes place in the property in question.

11. Having heard learned counsels appearing for the parties, it is directed that requisite action shall be taken by the MCD with the assistance of SHO, Police Station-Sarai Rohilla, against the unauthorized construction in the property in question, after following the due procedure and in accordance with law.

12. Further, SHO, Police Station-Sarai Rohilla, Delhi, shall ensure that no further unauthorized construction takes place in the property in question.

13. Respondent nos. 4 to 10, are at liberty to seek their remedies, in accordance with law, in case they are aggrieved by any action on behalf of the MCD.

14. Likewise, the petitioner is also at liberty to seek remedies in accordance with law, in case requisite action is not taken by the MCD.

15. It is made clear that this Court has not expressed any opinion with regard to the title and ownership of the property in question, as the only issue dealt by this Court is regarding the unauthorized construction being carried out in the property in question.

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

17. The MCD is held bound to take time bound action in accordance with law, expeditiously, preferably, within a period of eight weeks, from today.

18. Accordingly, with the aforesaid directions, the present writ petition, along with the pending application, is disposed of.

MINI PUSHKARNA, J

DECEMBER 1, 2025/ak