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

+ W.P.(C) 18193/2025, CM APPL. 75265/2025 & CM APPL. 75266/2025

HARDEEP KUMAR SAINI

.....Petitioner

Through: Ms. Tanya Agarwal and Mr. Samar,
Advocates
Mob: 9958305924

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Rakesh Malhotra, Mr. Bharat
Malhotra, Ms. Smritika Kesri and Ms.
Gayatri Bhatia, Advocates for MCD
Mob: 8447151507
Email: bharatmal2@gmail.com
Mr. Shiv Kumar Gautam and Mr.
Rohit Gupta, Advocates for R-2 to R-
5
Mob: 9599911797
Email: shivlegaldrishti@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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01.12.2025

1. The present writ petition has been filed seeking directions to the Municipal Corporation of Delhi ("MCD") to take action against the unauthorized construction, being raised by respondent nos. 2 to 5, up to seventh floor in property No. 10597, Sabzi Bazar Road, Manakpura, Karol Bagh, New Delhi, without any Sanctioned Building Plan, by amalgamation of another property, i.e., property No. 10596.
2. Learned counsel appearing for the petitioner submits that the



petitioner is the owner of the property in question, which had been given on rent to a tenant, i.e., Smt. Sushma Arora. The tenant has sub-let the property further to respondent nos. 1 and 3, who are carrying out the unauthorized construction through respondent no.4/builder namely, Mukesh Kumar.

3. *Per contra*, learned counsel puts in appearance on behalf of respondent nos. 2 to 5, and submits that they are the owners of the property in question.

4. This Court in the present writ proceedings shall not go into any dispute with regard to right, title, ownership and possession of the property in question.

5. Learned counsel appearing for the respondent-MCD has handed over to this Court certain documents, which are taken on record.

6. The said documents pertain to a Show Cause Notice dated 27th February, 2025 and the Demolition Order dated 18th March, 2025 for *property No. 10596*.

7. As per the document handed over to this Court, part demolition action was taken in the property on 19th June, 2025.

8. Subsequently, on the basis of the complaint received regarding amalgamation of the two properties, i.e., *property Nos. 10596 and 10597, Sabzi Bazar Road, Manakpura, Karol Bagh, New Delhi*, another Show Cause Notice dated 27th November, 2025 has been issued by the Building Department, Karol Bagh Zone of MCD, with respect to amalgamation of the properties, as aforesaid.

9. Learned counsel appearing for the respondent-MCD submits that requisite action shall be taken in accordance with law, after following the due procedure.



10. Accordingly, considering the submission made before this Court, it is clarified that this Court shall not go into the issue, as regards the right, title, interest and ownership or possession of the property in question.

11. However, since the property already stands booked for unauthorized construction/deviations/excess coverage/amalgamation, it is directed that requisite action shall be taken by the MCD, after following the due procedure, in accordance with law.

12. Needless to state, whenever the MCD seeks to take action against the unauthorized construction in the property in question, the local police shall provide due assistance.

13. In case, any party is aggrieved by any action or non-action on the part of the MCD, their right to seek remedies in accordance with law, is reserved.

14. The rights and contentions of the parties are left open.

15. With the aforesaid directions, the present writ petition, along with the pending applications, is disposed of.

MINI PUSHKARNA, J

DECEMBER 1, 2025

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