



2025:DHC:10999



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

% **Date of Decision: 06th December, 2025**

+ W.P.(C) 18545/2025 & CM APPL. 77065/2025

HARI KISHAN

.....Petitioner

Through: Mr. C. M. Grover, Advocate
Mob: 9654624323
Email: manigrover001@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI & ANR.Respondents

Through: Ms. Mansi Gupta, Advocate for MCD
Mob: 9999015454
Email: mansig.lawyer@gmail.com

+ W.P.(C) 18546/2025 & CM APPL. 77066/2025

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Mob: 9999015454
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CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (ORAL):

1. The present writ petitions have been filed seeking to quash and set



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aside the impugned orders dated 03rd December, 2025, passed by the learned Appellate Tribunal Municipal Corporation of Delhi (“ATMCD”) in the appeals of the petitioner pending before the ATMCD, wherein, the learned ATMCD has dismissed the interim applications for stay of demolition action till the pendency of petitioner’s regularization application before the Municipal Corporation of Delhi (“MCD”).

2. Learned counsel appearing for the petitioner submits that the petitioner is the co-owner of and in joint possession of the property bearing *No. 443, main Road, Jheel Khurenja, Delhi-110051*.

3. Learned counsel appearing for the petitioner submits that two Demolition Orders have been passed by the respondent-MCD and two separate Sealing Orders have also been passed. Thus, four appeals are pending at present before the learned ATMCD, i.e., *Appeal Nos. 231/2022, 275/2022, 256/2024 and 257/2024*.

4. It is further submitted that the petitioner filed an application for regularization on 26th November, 2025, and thereafter, moved stay applications before the learned ATMCD on 27th November, 2025. However, *vide* the impugned orders dated, 03rd December, 2025, the learned ATMCD dismissed the said applications, without granting any interim protection to the petitioner.

5. Thus, the present writ petitions have been filed.

6. Issue notice. Notice is accepted by learned counsel appearing for the respondent-MCD.

7. Learned counsel appearing for the respondent-MCD submits that a Sealing Order with respect to the property in question was passed in the year 2017, followed by a Demolition Order in the year 2018.



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8. She further submits that demolition action was taken twice in the month of May, 2018 and a third round of demolition action was taken on 04th December, 2025. She submits that sealing of the property was done in March, 2022. However, since the seal was found to be tampered with, the property was re-sealed in September, 2023.

9. She further submits that she has instructions to submit that no regularization application on behalf of the petitioner has been found on the online portal of the MCD.

10. However, learned counsel appearing for the petitioner draws the attention of this Court to *Annexure P-4* attached with both the present petitions, to submit that the petitioner has already uploaded the regularization application and he has duly been given a reference number in regard thereto.

11. Hearing heard learned counsels for the parties, this Court notes that part demolition action has already been taken by the MCD against the unauthorized construction in the property in question. Further, the said property is also lying sealed since the year 2022.

12. This Court also takes note of the fact that the petitioner has now filed an application for regularization and a document pertaining to uploading/filing of the regularization application on the MCD online portal, as annexed with the writ petitions, is reproduced as under:



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WAGAM

User Profile Status

Name: HARI KISHAN Mobile Number: 990000000030 Email ID: Sanjeevnanam2071@gmail.com

Request: [Dropdown]

Preference: [Dropdown]

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13. This Court also takes note of the submission made on behalf of the MCD that they have not been able to trace any application for regularization on their online portal.

14. Accordingly, it is directed that the petitioner shall appear before the Executive Engineer, Shahdara South Zone, on 15th December, 2025 at 11:00 AM.

15. In case, there is any discrepancy found in the regularization application of the petitioner, the concerned official of the MCD is at liberty to direct the petitioner to re-upload the application for regularization.

16. It is further directed that, in case, there are other discrepancies in the regularization application of the petitioner or additional documents are required to be filed by the petitioner, liberty shall be granted to the petitioner to submit such documents before the MCD.

17. The regularization application of the petitioner shall be duly considered by the MCD and an order shall be passed therein, expeditiously,



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preferably, within a period of eight weeks, from today.

18. The petitioner shall comply with any directions that may be issued by the MCD, including, removing non-compoundable portions of the property, and any excess coverage that may be existing therein.

19. Upon the petitioner intimating the MCD regarding removal of the non-compoundable deviations, the MCD shall be at liberty to inspect the property of the petitioner.

20. In case, the MCD is satisfied that non-compoundable deviations stand removed by the petitioner, appropriate orders shall be passed by the MCD, in accordance with law.

21. It is further directed that no coercive action shall be taken against the property of the petitioner during the pendency of the regularization application, with the MCD.

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

MINI PUSHKARNA, J

DECEMBER 6, 2025

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