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

+ **W.P.(C) 18860/2025 & CM APPL. 78486/2025**

DEEPANSHU BANSAL

.....Petitioner

Through: Mr. A.K. Mishra, Adv.

versus

GOVERNMENT OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Manish Srivastava, Mr. Moksh Arora and Mr. Santosh Ramdurg, Adv. for R-9

Mr. Aditya Saluja, Adv. for R- 5, 6 and 7

Mr. M.S. Oberoi, SC for MCD

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

12.12.2025

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1. The present writ petition has been filed seeking directions against the illegal, arbitrary and discriminatory action undertaken by the Municipal Corporation of Delhi ("MCD") in demolishing the property of the petitioner, i.e., 27-A, J & K Extension, Laxmi Nagar, Delhi.

2. Learned counsel appearing for the petitioner submits that the demolition action taken by the MCD is selective, arbitrary and discriminatory. It is submitted that there are numerous adjoining properties, constructed by the respondent nos. 5 to 7, up to five and six floors without any sanction and in gross violation of the MCD Bye-laws. However, the MCD has not taken any demolition action against the said properties.



3. He further submits that demolition orders and sealing orders have been passed against the properties of the respondent nos. 5 to 7, details of which, as given the writ petition, are as follows:

Sr. No.	Property address	Owner of Property	No. of Floors
1.	I-109, Garhwali Mohalla	Sanjeev Goyal and Amit Kapoor @ Goldy	6-7
2.	CR-254, C.R. Road	Sanjeev Goyal	6-7
3.	H-19, Laxmi Nagar	Sanjeev Goyal	6-7

4. Thus, it is submitted that the action taken by the MCD against the petitioner is vindictive and retaliatory.

5. This Court notes that a writ petition being *W.P.(C) 2590/2025* was filed before this Court regarding unauthorized construction in the property in question, which came to be disposed of *vide* order dated 24th September, 2025, in the following manner:

1. *The present writ petition has been filed seeking directions to the respondents to take action against the unauthorized construction existing in the Plot No. 27-A, J&K Ext., Laxmi Nagar, Delhi-110092.*

2. *A Status Report dated 20th March, 2025 has been filed on behalf of the Municipal Corporation of Delhi ("MCD"), relevant portion of which, reads as under:*

"xxx xxx xxx"



3. That, it is submitted that, as per record, the property bearing No. 27-A, J&K, Lalita Park, Laxmi Nagar, Delhi-110092 was booked in unauthorized construction vide booking file No. 222/B/UC/SS/2024 dated 20.11.2024 “u/c in the shape of entire GF, FF, SF, TF & Fourth Floor”. A Show cause notice dated 20.11.2024 u/s 344 (1) & 343 of Delhi Municipal Act, 1957 was issued to Sh. Deepanshu Bansal/Owner/Occupier/Builder of the property in question but the noticee failed to reply to the above Show Cause Notice leading to issuance of Demolition Notice u/s 343 of the Act wherein it was directed to demolish the above cited unauthorized construction within stipulated period. The noticee again preferred not to comply with directions resulting in order of demolition has been passed on 03.01.2025 against the impugned property after following due process of law. Copy of Show Cause Notice dated 20.11.2024 & Order of Demolition dated 12.12.2024 are annexed herewith as **Annexure R – 1 (Colly)**.
4. That, it is to further inform that the department also issued Sealing Show Cause Notice u/s 345-A of the DMC Act 1957 to Sh. Deepanshu Bansal/Owner/Occupier/Builder of the property in question and after following due process of law, the order of sealing the impugned property has been passed on 30.12.2024. Copy of Sealing Show Cause Notice dated 10.12.2024 & Sealing Order dated 30.12.2024 are annexed herewith as **Annexure R – 2 (Colly)**.
5. That, pursuant to the order of demolition & sealing, the department intended to execute demolition/sealing action on 10.02.2025 & 11.02.2025 but could not be taken on account of shortage of time. Further, the department again planned demolition/sealing action against the property in question on 19.02.2025 and the same was



executed wherein demolition action taken at Fourth Floor of the property in form of demolishing one RCC panel including cutting of reinforcement with the help of gas cutter in the presence of Police Force from Police Station – Laxmi Nagar, Delhi. Photographs taken during the action on 19.02.2025 are annexed herewith as **Annexure R – 3 (Colly)**.

6. That, in-furtherance, the department also executed sealing action on 19.02.2025 wherein the entire Fourth Floor including two shops at Ground Floor of the premises have been sealed.

7. That, it is further submitted that demolition action at Third Floor of the property was taken on 25.02.2025 wherein demolishing one RCC panel including cutting of reinforcement has been done. In addition to this, the department sealed the entire property at main entrance at Ground Floor and also sealed a shop at Ground Floor. Photographs taken during the action on 28.02.2025 are annexed herewith as **Annexure R – 4 (Colly)**.

8. That, the department scheduled further special program of sealing and demolition on 07.03.2025 & 18.03.2025 wherein the property was de-stacked for the purpose of executing demolition action and the same was executed in form of cutting RCC panels at Third Floor and Fourth Floor & made inhabitable. After taking demolition, the property entirely re-sealed at main entrance at Ground Floor via one point. Photographs taken during the action on 17.03.2025 & 18.03.2025 are annexed herewith as **Annexure R – 5 (Colly)**.

9. That, further course of action will be taken in due course of time as per law.

3. *Perusal of the aforesaid Status Report shows that the MCD has taken demolition action with respect to the unauthorized construction in the property in question on 19th February, 2025 itself. Further, sealing action was also done by the MCD on 19th February, 2025, wherein, the entire fourth floor, including, two shops at ground floor of the premises, have been sealed.*

4. *Further, demolition action was also taken by the MCD on 28th February, 2025, 17th March, 2025 and 18th March, 2025.*



5. *Considering the aforesaid, it transpires that the MCD is already taking the requisite action against the property in question.*
 6. *Accordingly, no further orders are required to be passed in the present petition.*
 7. *MCD shall ensure that no further unauthorized construction takes place in the property in question.*
 8. *In case, any of the parties 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.*
 9. *With the aforesaid directions, the present writ petition is accordingly disposed of.”*
6. Perusal of the aforesaid order shows that the MCD took action after following its due procedure.
 7. In case, the petitioner has any grievance against the demolition order or any action taken by the MCD, the petitioner is at liberty to file the statutory appeal in that regard.
 8. As regards the other properties in the area in question, as mentioned hereinabove, wherein, action against unauthorized construction is yet to be taken, the MCD is directed to assess the extent of construction existing in the aforesaid properties.
 9. The petitioner is at liberty to approach the MCD in this regard.
 10. With the aforesaid directions, the present writ petition, along with the pending application, is accordingly disposed of.

MINI PUSHKARNA, J

DECEMBER 12, 2025/KR