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

+ **W.P.(C) 586/2025**

RAHAT ALI & ANR.

.....Petitioners

Through: Mr. Shakeel Ahmad Saifi, Mr. Sami Ahmad, Mr. Ajay Kumar Singh and Mr. Tariq Khan, Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS.**

.....Respondents

Through: Mr. Chetanya Singh and Mr. Chetan Sharma, Advocates for Respondent No.1/MCD.
Ms. Manika Tripathy, Standing Counsel with Mr. Gautam Yadav, Advocate for Respondent No.2/DDA.

**CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH**

ORDER
20.01.2025

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CM APPL. 2771/2025

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This writ petition is preferred on behalf of the Petitioners under Article 226 of the Constitution of India seeking the following reliefs:

“a) Issue a Writ, Order or direction in the nature of Mandamus thereby directing the officers of the Respondent No.1 to demolish the illegal & unauthorized construction carried out by the Respondent no.4 to 6 at the property bearing No. C-129, Village Chhatarpur, Tehsil Saket, New Delhi known as C-Block JVTs Garden Chhatarpur Extension, New Delhi-

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110074, Khasra no.858 mm, measuring area 300 sq yds. and further direction to seal the 'subject property' in the interest of justice;

b) Also direct the concerned officers of respondent No.1 MCD & respondent No.2 DDA to stop the further construction on the subject property;”

4. Issue notice.
5. Learned counsels, as above, accept notice on behalf of the respective Respondents.
6. Learned counsel appearing on behalf of Respondent No.1 submits that so far as the subject property is concerned, a show cause notice has already been issued to the owner/occupier of the land; watch and ward letter has been issued on 22.03.2024; and recently a demolition order has also been issued and demolition action is scheduled on 22.01.2025. Learned counsel hands over documents in this regard, which are taken on record.
7. In view of the aforesaid, no further order is required to be passed in the present writ petition at this stage. Petitioners will be at liberty to take recourse to legal remedies, in case of any further grievance. Any action taken by MCD will be compliant with all statutory formalities and the judgment of the Supreme Court in *In Re: Directions in the matter of demolition of structures, 2024 SCC OnLine SC 3291*. This order is passed without prejudice to rights and contentions of Respondents No. 4, 5 and 6 and they will be at liberty to take recourse to legal remedies.
8. Petition stands disposed of.

JYOTI SINGH, J

JANUARY 20, 2025

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