



\$~56

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

+ **W.P.(C) 19188/2025 & CM APPL. 79937/2025**

MOHD ILMAN

.....Petitioner

Through: Mr. M.S. Khan, Mr. M. Arshyan and
Mr. Akbar Kaleem, Advs. (Through
VC)

versus

COMMISSIONER MCD & ORS.

.....Respondents

Through: Mr. Moksh Arora and Mr. Santosh
Ramdurg, Advs. for R-2
Mr. Udit Dedhiya, SC with Ms.
Apurva Sachdev and Mr. Preyansh
Gupta, Advs. for NDMC
Mr. Ashutosh Gupta, ASC for MCD
(Through VC)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

18.12.2025

%

1. The present writ petition has been filed seeking directions to respondent no. 1 to take action against the illegal construction at the roof of fourth floor of property bearing *No. 1585, Suiwalan, Near Gali Tajran, Darya Ganj, Delhi-110002*, being carried out by respondent nos. 3 and 4.
2. At the outset, learned counsel appearing for the petitioner submits that the petitioner has also filed a suit for injunction, bearing *CS SCJ No. 957/2025*, wherein, the issue of unauthorized construction has also been raised.
3. He submits that though some action has been taken by the Municipal Corporation of Delhi ("MCD"), however, respondent nos. 3 and 4 are again



carrying out work on the roof of the fourth floor. Thus, the present writ petition has been filed.

4. Responding to the present petition, learned counsel appearing for the MCD submits that ground floor to fourth floor of the property are old and occupied, and that the construction being carrying out on the roof of the fourth floor, is unauthorized.

5. Learned counsel appearing for the MCD submits that partial action has already been taken on 18th August, 2025. Furthermore, demolition and sealing orders already stand passed against the unauthorized construction in question. Moreover, further action shall be taken, in accordance with law.

6. At this stage, learned counsel appearing for the petitioner submits that unauthorized construction is still going on in the premises in question.

7. Considering the submissions made before this Court, it is directed that the Station House Officer (“SHO”) of Local Police Station, shall ensure that no further unauthorized construction takes place in the property in question. Further, MCD is enjoined upon to take further action on the unauthorized construction existing in the property in question.

8. The updated Status Report with regard to the action taken by the MCD shall be duly uploaded on the website of the Special Task Force (“STF”).

9. With the aforesaid directions, the present writ petition, along with the pending application, stands disposed of.

MINI PUSHKARNA, J

DECEMBER 18, 2025/KR