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

+ **W.P.(C) 7536/2025 & CM APPL. 33625/2025**

ATUL CHANANA

.....Petitioner

Through: Mr. Rajmangal Kumra, Mr. Ranjeet,
Ms. Sangeeta Kumari, Advs.
Mob: 6355306939
Email: srandpartners@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Rajiv K. Garg and Mr. Shiven
Banga, Advs. for the Respondent
No.3 and 4.
Ms. Neeru Vaid, SC MCD
Mr. Niraj Kumar, SC with Mr.
Deepak, Mr. Chaitanya, Advs. for R-
2.
Mob. 753612025
Email. advocaeniraj2009@gmail.com
Mr. Shiven Banga, Adv. for R-3,4

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

28.05.2025

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W.P.(C) 7536/2025

1. The present petition has been filed seeking directions to respondent nos. 1 and 2 for taking action against respondent nos. 3 to 5, in respect of the unauthorized and illegal construction/encroachment in back side open area of the first floor, and also at roof of third floor of the *Plot No. 15, Block-C, North West Avenue, Club Road, Punjabi Bagh, New Delhi*.



2. Responding to the averments made in the present petition, learned counsel appearing for the respondent no.1/Municipal Corporation of Delhi (“MCD”), submits that a Speaking Order under Section 343 of the Delhi Municipal Corporation Act, 1957 (“DMC Act, 1957”), which is in the nature of a demolition order, has already been passed by the Office of the Executive Engineer (BLDG.)-I, West Zone, MCD, on 03rd February, 2025. She further submits that a Show Cause Notice under Section 345A of the DMC Act, 1957 dated 26th May, 2025, has been issued, with regard to sealing action in the premises in question.

3. Learned counsel appearing for the respondent no. 1/MCD assures the Court that a requisite action shall be taken by the MCD, in accordance with law.

4. Learned counsel appearing for respondent nos. 3 and 4 has put in appearance, and submits that any action taken by the respondent no.1-MCD, shall be subject to any order that may be passed in the appeal filed by the respondent nos. 3 and 4.

5. The aforesaid statement is taken note of.

6. Accordingly, it is directed that the respondent no.1-MCD shall undertake the requisite action against the unauthorized construction in the property in question, by following the due procedure of law.

7. In case, the owners/occupiers of the property in question are aggrieved by any action of the MCD, they are at liberty to seek their remedies, in accordance with law.

8. Likewise, in case the petitioner are aggrieved by any non-action on the part of the MCD, the petitioner is at liberty to approach the Special Task Force (‘STF’), constituted by the Supreme Court.



9. All the actions taken by the MCD shall be duly uploaded on the website of the STF.
10. Needless to state, the parties are at liberty to file their respective applications for regularization of compoundable portions of the unauthorized constructions, if they are so advised.
11. It is clarified that this Court has not expressed any opinion on the merits of the case.
12. All rights and contentions of the parties are left open.
13. With the aforesaid directions, the present petition, along with the pending application is, accordingly, disposed of.

MINI PUSHKARNA, J

MAY 28, 2025/neha