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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10925/2017, CM APPL. 44683/2017**

SH. MIRZA RASHID BEG

.....Petitioner

Through: Mr. Rajeev Saxena, Sr. Advocate
with Ms. Megha Saxena, Ms. Shreya
Bhatnagar and Mr. Shaurya Dahiya,
Advocates.

versus

**ARCHEOLOGICAL SURVEY OF INDIA AND
ORS.**

.....Respondents

Through: Mr. Chetan Sharma, ASC with Ms.
Avshreya Pratap Singh Rudy, Sr.
Panel Counsel, Mr. Amit Gupta, Ms.
Usha Jamnal, Mr. Shubham Sharma,
Ms. Harshita Chaturvedi and Mr.
Saurabh Tripathi, Advocates
alongwith Mr. Pradeep Pandey, ASI
and Dr. Raj Kumar Patel, ASI.
Mr. Jitesh Vikram Srivastava, SPC
with Mr. Rajesh Vikram Srivastava,
Advocates alongwith Dr. Raj Kumar
Patel, SA, ASI, Delhi Circle and Dr.
Pradeep Kumar Pandey, ASA, ASI,
Delhi Circle for R-3.

AND

+ **W.P.(C) 12455/2024, CM APPL. 51854/2024**
SUPREME COURIER SERVICE

.....Petitioner

Through: Mr. Ajay Gupta, Advocate

versus

**ARCHAEOLOGICAL SURVEY OF INDIA AND
ORS**

.....Respondents

Through: Mr. Jagdish Chandra, CGSC, UOI
with Mr. Shubham Kumar Mishra and
Mr. Prashant Gautam, Advocates



alongwith Dr. Raj Kumar Patil, SA,
ASI and Dr. Pradeep Kumar Pandey,
ASA, ASI.
Mr. Ashutosh Gupta, ASC with Mr.
Arman Monga, Advocate for MCD.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
21.05.2025

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1. The above-noted petitions pertain to the counter allegations of unauthorised construction in the subject property bearing Nos. 1490-1491 (Part), near Ritz Cinema, Kashmere Gate, Delhi - 110006 and the shops on the ground floor of the said building. In W.P.(C) 10925/2017, the petitioner/*Mirza Rashid Beg*, who is the owner of shop No. 1491-E, situated on the ground floor of the subject property, alleges unauthorised construction in the subject property by its owner, respondent No.7/*Supreme Courier Service*. On the other hand, in W.P.(C) 12455/2024, the petitioner/*Supreme Courier Service*, being the owner of the subject premises, alleges illegal construction in shop No. 1489, situated on the ground floor of the subject property which is owned by respondent No.4/*Bushra Khanam*, who is the wife of *Mirza Rashid Beg*.

2. Mr. Chetan Sharma, Ld. ASG appears in pursuance to the order passed by this Court on 11.03.2025 and submits that the above properties fall within the domain of Archaeology Survey of India (ASI), being within the 100 meters of the protected monument.

3. Mr. Jitesh Vikram Srivastava, Ld. Counsel for ASI, on instructions, submits that a fresh inspection would be carried out at the aforesaid



properties and in case any unauthorised construction is found in any of the subject properties, necessary action would be taken in accordance with law within a period of three months.

4. The SHO concerned is directed to provide all such necessary assistance to ASI as may be required by them for carrying out the aforesaid action.

5. Both the petitions are disposed of in the above terms alongwith pending applications.

MANOJ KUMAR OHRI, J

MAY 21, 2025

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