



\$~2

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

+ **W.P.(C) 622/2026, CM APPL. 3080/2026 & CM APPL. 7589/2026**

ROHIT AGGARWAL

.....Petitioner

Through: Mr. Akshay Makhija, Senior
Advocate with Mr. Rajiv Dalal, Mr.
Sanjeev Kumar Sharma, Mr. Shresth
Kaushik & Ms. Deepti Singh Arya,
Advocates.

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Rohit Kathuria, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **07.02.2026**

1. The present writ petition has been filed seeking quashing of the notice dated 23rd June, 2025 issued by the respondent/ MCD in respect of demolition of the unauthorised construction in Shri Laxmi Narayn Temple located at *Plot No. 43, Class A, Block West, Dilshad Colony, Garden Estate, Village Jhilmil Tahirpur, Delhi-110095*.
2. Mr. Akshay Makhija, senior counsel appearing on behalf of the petitioner, submits that the aforesaid notice has been issued only upon one Shri Jatinder Kumar Aggarwal, who had already expired on 13th May, 2025. This fact came to the knowledge of the respondent/ MCD in July 2025.
3. In terms of the order passed on 16th January, 2026, the petitioner sought time to place on record documents to show ownership of the



petitioner in the subject property.

4. Ownership documents have been placed on record by way of CM APPL. 7589/2026.

5. A perusal of the documents suggest that the petitioner is a part-owner of the subject property.

6. Mr. Rohit Kathuria, counsel appearing on behalf of the respondent/ MCD submits that the demolition order has been passed against not only Mr. Jatinder Kumar Aggarwal but also in respect of owners/ builders of the property.

7. He submits that the remedy of the petitioner with regard to the demolition order would be to approach the Appellate Tribunal, MCD (hereinafter 'ATMCD').

8. In view thereof, the present writ petition, along with pending applications, is disposed of while giving liberty to the petitioner to approach ATMCD.

9. The petitioner shall approach ATMCD within three (3) weeks from today.

10. Till the time ATMCD considers the matter, including any application for interim stay, no coercive action shall be taken by respondent/ MCD.

11. It is clarified that this Court has not expressed any opinion on the merits of the case.

AMIT BANSAL, J

FEBRUARY 7, 2026

at