



\$~46

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

+ **W.P.(C) 2396/2026 & CM APPL. 11699-11700/2026**

**RAJIV GHAI**

.....Petitioner

Through: **Ms. Smiti Verma & Mr. Beleena Biju,**  
Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI**

.....Respondent

Through: **Mr. Rakesh Malhotra, Mr. Bharat**  
**Malhotra, Mr. Taksh Suri & Ms.**  
**Smritika Kesri, Advocates for MCD.**

**CORAM:**

**HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER**

**19.02.2026**

%

1. The present writ petition has been filed seeking setting aside of the demolition order dated 5<sup>th</sup> February, 2026 passed by the respondent/MCD under Section 343 of the Delhi Municipal Corporation Act, 1957 ('DMC Act') and also the show cause notice dated 6<sup>th</sup> February, 2026 issued under Section 345-A of the DMC Act for sealing of the property.
2. The grievance of the petitioner is that demolition order has been passed by the respondent/MCD in complete violation of the principles of natural justice in as much as the impugned orders have been passed without consideration of the replies filed by the petitioner including the reply filed on 21<sup>st</sup> January, 2026 (Annexure P-4 to the petition).
3. A perusal of the impugned order dated 5<sup>th</sup> February, 2026 shows that it records that no reply has been filed by the petitioner.
4. Counsel for the petitioner submits that the order has been passed in



violation of the judgment of the Supreme Court in ***Directions in the Matter of Demolition of Structures, In re, (2025) 5 SCC 1***, inasmuch as, no personal hearing has been given to the petitioner before passing the demolition order.

5. In light of the aforesaid submissions, the impugned demolition order dated 5<sup>th</sup> February, 2026 as well as the show cause notice dated 6<sup>th</sup> February, 2026 for sealing the said property, is set aside.

6. The writ petition is disposed of *vide* directing respondent/MCD to strictly proceed in terms of directions given in the aforesaid judgment of the Supreme Court after considering the replies filed by the petitioner to the show cause notices and after giving a personal hearing to the petitioner.

**AMIT BANSAL, J**

**FEBRUARY 19, 2026/ng**