



2026:DHC:4340



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IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 13.05.2026

+ CONT.CAS(C) 272/2024 and CM APPLs.9338/2024, 5033/2025, 51019/2025, 56678/2025, 61832/2025, 69360/2025, 7668/2026

SULEKH MALIK

.....Petitioner

Through: Mr. Abhinav Sharma and Mr. Ujjwal Jain, Advs.

versus

AQIL AHMED & ANR.

.....Respondents

Through: Ms. Beenashaw N. Soni, SC and Ms. Mansi Jain, Adv., MCD.

Mr. Ajjay Arora, Sr. Adv., Mr. Uttam Datt, Sr. Adv. and Mr. Vansh Luthra, Adv. for intervenor.

Mr. Sudhir Nandrajog, Sr. Adv., Mr. Tushar Gupta, Mr. Lakhvinder Singh and Mr. Ameesh Kumar, Advs. for RWA.

CORAM:**HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)**

1. The present petition alleges wilful disobedience of the directions contained in the order dated 26.05.2023 passed in W.P.(C) 3454/2022 and order dated 12.07.2023 passed in LPA No. 541/2023. The operative directions contained in the order dated 26.05.2023 passed in W.P.(C) 3454/2022 are as under:

“9. Considering the facts stated in the status report that demolition action has already been taken on number of occasions, the petition is disposed of with the direction that concerned A.E. (Building) shall



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ensure that the requisite action is taken in entirety after duly serving all the owners/occupiers who shall also be at liberty to seek their remedies as available under law.

10. Learned counsel appearing for respondent No.2 submits that as and when any request is received for police assistance, the same would be duly provided.”

2. During the course of these proceedings, it transpires that some proceedings have been initiated before the ATMCD. The order dated 07.11.2025, passed in the present proceedings, records as under:

“1. This hearing has been done through hybrid mode.

2. Affidavit in terms of order dated 26.09.2025 is not on record. Let the same be filed before the next date of hearing, with an advance copy to learned counsel for respondents.

3. As per the status report it is pointed out that an application for early hearing has been preferred on behalf of MCD before learned ATMCD.

4. Let an updated status report be filed with respect to proceedings before the learned ATMCD before the next date of hearing.

5. Learned ATMCD is requested to consider the said application filed on behalf of MCD before the next date of hearing fixed in the present petition.

6. List on 04.02.2026.

7. Needless to state that the learned ATMCD shall deal with proceedings on its own merits in accordance with law.

8. Copy of the order be sent to the concerned learned ATMCD for necessary information and compliance.

CM APPL. 69360/2025 (For impleadment)

9. The present application under Order 1 Rule 10(2) read with Section 151 of the CPC seeks the following prayers:-

“a. Allow the present application for Impleadment and allow the Applicant to be arrayed as a Party Respondent to Cont. Cas. (C) No.272/2024 and

b. Pass such order or orders as may be deemed fit and proper in the facts and circumstances of the instant case”

10. Issue notice.

11. Learned counsel appearing on behalf of non-applicant/petitioner accepts notice and seeks time to file a response to the present application.



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Let the same be filed before the next date of hearing.

12. List on 04.02.2026.”

3. It transpires that the proceedings before the ATMCD have been disposed of *vide* order dated 11.05.2026 in the following terms:

“12. Coming to the appeals, since neither the show cause notices nor the impugned orders were served, impugned four demolition and four sealing orders are set aside with directions to the respondents to pass a speaking order after considering the reply and documents to be submitted by the appellant and after giving personal hearing to the appellant. The appellant shall appear before the Quasi Judicial Authority on 26.05.2026 at 2.00 pm and the speaking order be passed within 6 weeks of conclusion of the hearing.

13. However, in the facts and circumstances, the property shall remain sealed till the fresh decision of the Quasi Judicial Authority.

14. Appeals stand disposed of.”

4. Learned counsel for Municipal Corporation of Delhi (MCD) submits that the MCD has initiated the process to pass a speaking order in terms of the aforesaid directions. It is assured and undertaken that the needful shall be done within the timeframe set out in the order passed by the ATMCD.

5. It is further assured and undertaken that requisite action *qua* the property in question shall be taken by the MCD upon conclusion of the aforesaid exercise.

6. It is also assured and undertaken that the MCD shall ensure that no unauthorized and illegal construction is carried out in the property in question and that immediate steps shall be taken to put any ongoing unauthorised construction to an immediate halt.

7. The said assurance and undertaking is taken on record.



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8. In view thereof, at this stage, no further orders are required to be passed in the present petition.
9. The present petition is accordingly, disposed of along with pending applications.
10. Needless to say, in case there is any deficiency on the part of the MCD in taking requisite action, the petitioner shall be entitled to avail appropriate legal remedies.

SACHIN DATTA, J

MAY 13, 2026/cl