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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 211/2026, CM APPL. 21711/2026, CM APPL. 21712/2026 &
CM APPL. 21714/2026

MS RAMINDER CAUR AND ANR

.....Appellants

Through: Ms. Malvika Trivedi, Senior
Advocate with Ms. Padma Priya, Mr.
Dhananjai Shekhawat, Mr. Archit
Jain, Ms. Dharni Sharma and Mr.
Shailendra, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI AND
ORS

.....Respondents

Through: Mr. Kapil Dutta, Advocate for MCD.
Mr. Manish Srivastava, Mr. Moksh
Arora and Mr. Santosh Ramdurg,
Advocates for BSES.
Mr. Sanjeev Sabharwal, Senior Panel
Counsel for UoI.
Ms. Avni Singh, Panel Counsel with
Mr. Vaibhav Sharma, Advocate for
GNCTD.
Mr. Arjun Singh Bawa, Mr. Sahil
Gupta, Ms. Apoorva Pradhan and Mr.
Siddhartha, Advocates for R-5 and
R-6.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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06.04.2026

**CM APPL. 21713/2026 & CM APPL. 21715/2026 (Condonation of
Delay)**

1. These Applications have been filed on behalf of the Appellants seeking condonation of delay of three days in filing the Appeal and condonation of delay of three days in re-filing the Appeal respectively.



2. Having regard to the averments made in the Applications, the same are allowed. The delay of three days in filing the present Appeal and the delay of three days in re-filing the present Appeal are hereby condoned.

3. The Applications stand disposed of.

LPA 211/2026

4. Heard the learned Counsel for the Parties.

5. This *intra court* Appeal challenges the order dated 18.02.2026 (“**Impugned Order**”) passed by the learned Single Judge in W.P.(C) No. 12923/2024 (“**Writ Petition**”) on an application preferred by Respondent No. 5 seeking permission of the Court to carry out and implement the recommendation made by the Delhi Technological University (“**DTU**”) in its report dated 05.10.2025, which was submitted before the Court.

6. We may note that the learned Single Judge *vide* order dated 02.09.2025 has directed the DTU to conduct an inspection and submit a report, in pursuance whereof the report was submitted on 05.10.2025. On 06.10.2025, the learned Single Judge passed another order giving the Parties liberty to get the soft copy of the said report.

7. It has been stated by the learned Counsel for the Appellants that the report dated 05.10.2025 submitted by the DTU was made available to the Appellants only in the month of February 2026 and not before that.

8. The said submission made on behalf of the Appellants has been disputed by the learned Counsel representing Respondent Nos. 5 and 6.

9. *Vide* the Impugned Order, the learned Single Judge has granted permission to Respondent No. 5 to carry out the recommendations made by the DTU in its report dated 05.10.2025. A direction has accordingly been issued to the MCD to de-seal the ground floor and first floor of the property



in question for a period of 60 days for the limited purpose of enabling the work as recommended in the report dated 05.10.2025. It has also been directed that the said work shall be undertaken under the supervision of the Engineers of the Municipal Corporation of Delhi (“**MCD**”).

10. The learned Counsel for the Appellants has stated that in the garb of the Impugned Order, Respondent No. 5 is, in fact, carrying out full fledged construction, which is impermissible. Further, it has also been stated on behalf of the Appellants that the Appellants have been denied the opportunity to file objections to the report dated 05.10.2025 submitted before the Court in the proceedings pending before the learned Single Judge.

11. At this juncture, the learned Counsel representing Respondent Nos. 5 and 6 submitted that the DTU has submitted another report dated 04.04.2026 before the Court through e-mail addressed to the Court Master of the Court. He has further stated that in the said report dated 04.04.2026, it has been opined by the Structural Engineers of the DTU that the property in question is not safe, and it needs to be demolished. He has also categorically stated that at present, no construction work of any nature is going on in the property in question.

12. In view of the aforesaid developments, we dispose of the present Appeal, in the interest of justice, with the following directions:

- i. As already stated by the learned Counsel representing Respondent Nos. 5 and 6, no construction work of any nature will be carried out on the spot in the property in question till any order to the contrary is passed by the learned Single Judge in the proceedings of Writ Petition pending before the learned Single Judge.



- ii. The concerned Engineers of the MCD will keep a constant vigil over the property in question to ensure that no construction takes place till any further order is passed by the learned Single Judge.
- iii. A copy of the report dated 04.04.2026 shall be provided to the Appellants, who may file objections to the same in the proceedings of the pending Writ Petition. The said copy shall be made available by the office of the Court, if it has been received by the Court, to the learned Counsel for the Appellants within a week from today. Objections whereof will be filed by the Appellants within a period of one week thereafter.
- iv. The Appellants shall also be at liberty to file objections to the earlier report dated 05.10.2025 submitted by the DTU within a period of one week from today.
- v. We have been informed by the learned Counsel for the Appellants that on behalf of the Appellants, a structural stability report dated 25.03.2026 prepared by M/s Srishti Project Consultants Pvt. Ltd. has also been filed. Let a copy of the said report dated 25.03.2026 be furnished by the Appellants to the learned Counsel representing Respondent Nos. 5 and 6 as also to the learned Counsel representing the MCD within three days from today. Objections to the said report dated 25.03.2026 on behalf of Respondent Nos. 5 and 6 may be filed within a period of one week thereafter in the proceedings of the Writ Petition pending before the learned Single Judge.



- vi. The objections filed to the aforesaid reports by the respective Parties as also the reports submitted by the DTU shall be considered by the learned Single Judge, who shall pass appropriate order(s) after consideration of the same.
13. As already observed above, till the learned Single Judge passes further order(s), Respondent No. 5 shall not undertake any construction work, which shall be ensured by the MCD.
14. We request the learned Single Judge to expedite the proceedings of various applications / objections as also those of the Writ Petition and conclude the same as early as possible.
15. In view of the observations and directions made above, the Impugned Order is rendered infructuous. Thus, the learned Single Judge will decide the application moved by Respondent No. 5 seeking permission to raise construction afresh in the light of the observations made hereinabove.
16. The Appeal as well as the pending Applications stand disposed of.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

APRIL 6, 2026

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