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

+ **W.P.(C) 4788/2026 & CM APPL. 23373/2026**

MOHD. ABDUL HAMID

.....Petitioner

Through: Mr. Amitanshu Satyarthi, Mr. Sunil Satyarthi & Ms. Archisha Satyarthi, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI AND ANR.

.....Respondents

Through: Ms. Vidhi Jain, Advocate for MCD.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

20.04.2026

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1. The present writ petition has been filed seeking quashing of the demolition order dated 17th March, 2026, passed by the respondents/ MCD, under Section 343(1) of the Delhi Municipal Corporation Act, 1957 ('DMC Act'), in respect of the property bearing no. *S-14, DDA Flats, Turkman Gate, Delhi- 110006* (hereinafter the 'subject property').
2. Counsel appearing on behalf of the petitioner submits that the subject property has been constructed more than 35 years back and hence, is entitled to protection under the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011.
3. Counsel appearing on behalf of the respondents/ MCD correctly points out that the remedy for the petitioner would be to file a statutory appeal before the Appellate Tribunal, MCD ('ATMCD'), and hence, the



present writ petition is not maintainable.

4. Taking note of the aforesaid submissions, the present writ petition along with pending application is disposed of, giving liberty to the petitioner to file a statutory appeal before the ATMCD.

5. Counsel appearing on behalf of the petitioner submits that the appeal shall be filed within ten (10) days from today.

6. Subject to the petitioner filing the appeal before the ATMCD within ten (10) days, no coercive steps shall be taken by the respondents/ MCD till the time interim application filed by the petitioner is considered by ATMCD.

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

AMIT BANSAL, J

APRIL 20, 2026

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