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

+ **CONT.CAS(C) 613/2026**

MOHD ZAKIR

.....Petitioner

Through: Mr. Waiz Islam, Adv.

versus

MUNICIPAL CORPORATION OF DELHI & ANR.....Respondents

Through: Mr. Rajan Tyagi, SC and Ms. Vijeta Mukherjee, Adv., MCD.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **15.04.2026**

CM APPL. 24124/2026 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CONT.CAS(C) 613/2026

3. The present petition has been filed by the petitioner alleging wilful disobedience of the directions contained in the order dated 09.0.2022, passed in W.P.(C) 9582/2021. The same reads as under:

- 1. The hearing was conducted through video conferencing.*
- 2. Petitioner seeks a direction against the respondent to demolish the alleged unauthorized construction carried out by respondent no. 4 at Property No. 1100, Sheesh Mahal, Ganj Meer Khan, Behind Delite Cinema, New Delhi.*
- 3. Status report has been filed by the Corporation contending that action was proposed against the said property, however, respondent no. 4 has filed an appeal before the Appellate Tribunal-MCD and Appellate Tribunal-MCD has restrained the Corporation from taking any coercive action against the subject property pending the appeal.*
- 4. In view of the above, this Petition is disposed of with a direction that the Corporation shall take action in accordance with law, if so warranted, after the disposal of the appeal by the Appellate Tribunal-MCD in terms of the orders of the Appellate Tribunal-MCD.*



5. *Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.”*

4. It is submitted by the petitioner that the appeal before the Appellate Tribunal, Municipal Corporation of Delhi (ATMCD) stands dismissed, yet the respondent / Municipal Corporation of Delhi (MCD) has been remiss in taking the requisite action.

5. Learned counsel for the MCD, who appears on advance notice, submits that a demolition order has already been passed in respect of the property in question. He submits that demolition action is now scheduled on 17.04.2026. Let the demolition action be taken to its logical conclusion on the said date.

6. The concerned police authorities are directed to render necessary cooperation for the aforesaid exercise *inter-alia* for the purpose of evicting the occupants of the building in question.

7. It is assured and undertaken that there shall be no shortcoming in taking the requisite action to remove / demolish the entire subsisting unauthorized construction.

8. Taking on record the aforesaid undertaking, and in terms of the aforesaid directions, the present petition is disposed of.

9. It is made clear that the petitioner shall be at liberty to revive the present proceedings in case there is any shortcoming in the action taken by the MCD.

SACHIN DATTA, J

APRIL 15, 2026/cl