



\$~41

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

+ **W.P.(C) 4988/2026 & CM APPL. 24442/2026**

**ISMAIL THROUGH HIS DAUGHTER AS
PAIROKAR SHAHNAZ**

.....Petitioner

Through: Mr. Mohd. Faisal and Mr. Ali MD
Maaz Advocates.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Manu Chaturvedi, Standing
Counsel for MCD with Mr. Ahmed
Jamal Siddiqui and Mr. Khishtiz
Kishor Rai, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

%

15.04.2026

The present writ petition has been listed at 4:30 PM on account of urgent mentioning.

1. The petitioner seeks setting aside of:
 - i. Sealing order dated 14th March, 2026.
 - ii. Demolition order dated 30th March, 2026.
2. It is contended on behalf of the petitioner that the petitioner, who is the owner of the property bearing No. C-172, 173, JJ Colony, Hastal, Uttam Nagar, New Delhi ('subject property'), has been in judicial custody since 5th March 2026 and hence, he did not receive any of the aforesaid orders.
3. It is the contention of the petitioner that the demolition order and the



demolition action consequent thereupon is being carried out in violation of the directions of the Supreme Court in ***Directions in the Matter of Demolition of Structures, In re***, (2025) 5 SCC 1.

4. Counsel for the petitioner submits that there are valuable belongings of the petitioner which are lying inside the subject property and therefore, the premises be directed to be de-sealed so that the authorised representatives of the petitioner can remove the said belongings.

5. Issue Notice.

6. Notice is accepted by Mr. Manu Chaturvedi, Standing Counsel appearing on behalf of the respondent-MCD.

7. Mr. Chaturvedi submits that the aforesaid sealing order and demolition order have been duly served upon the petitioner by pasting at the subject property.

8. Having heard the counsel for the parties, the present writ petition is disposed of while giving liberty to the petitioner and/or authorised representative of the petitioner to invoke the appellate remedy by approaching the Appellate Tribunal, MCD ('ATMCD') within a period of two (2) weeks from today.

9. Till the time the appeal filed by the petitioner, along with any interim application is considered by ATMCD, no coercive steps shall be taken against the subject property.

10. In the meanwhile, a direction issued to the respondent-MCD to temporarily de-seal the subject property tomorrow, *i.e.* 16th April, 2026, from 11:00 AM – 5:00 PM, in order for the authorised representatives of the petitioner, including the Pairokar Ms. Shahnaz, to visit the subject property to take out the belongings of the petitioner. The subject property shall be



re-sealed after the belongings of the petitioner have been removed from the subject property.

11. A copy of this order be given *dasti* under the signatures of the Court Master.

AMIT BANSAL, J

APRIL 15, 2026
ds