



\$~5

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

+ **W.P.(C) 3785/2025 with CM APPL. 35541/2025**

PUNEET KUMAR

.....Petitioner

Through: Mr. Vishal Khanna, Mr. Nitish Pathania, Mr. Mukesh Kumar Agrawal and Ms. Anjali, Advocates along with petitioner in person.

versus

**MUNICIPAL CORPORATION OF
DELHI & ORS.**

.....Respondents

Through: Mr. Kapil Dutta, standing counsel for R-1/MCD with Mr. Rachit Singh, Advocate.
Ms. Pavitra Kaur and Ms. Shreya Mishra, Advocates for R-2.
Mr. Gaurav Seth, Advocate for R-5 (through VC).

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

27.01.2026

%

1. The present writ petition has been filed for direction to the respondents to inspect the property bearing no. 425, *Jheel, Khurenja, Delhi 110051*, and declare the same as dangerous, as the said property is in dilapidated condition.
2. Counsel appearing for the petitioner submits that the building structure of the said property has been raised by using inferior quality material and the whole structure is based on wooden Kaddies, which is now totally damaged by termites.



3. It is further submitted that there is much apprehension that the entire building may collapse, at any time in future, because there are no supporting pillars.

4. Notice in the present petition was issued on 26th March, 2025 and respondent no.1/MCD was directed to file a status report specifically indicating whether the building in question is structurally safe or not.

5. Pursuant to the aforesaid order, a status report has been filed on behalf of the respondent no.1/MCD. However, the status report is lying under objections.

6. A copy of the status report has been handed over in Court by Mr. Kapil Dutta, counsel appearing on behalf of the respondent no.1/MCD.

7. I have perused the aforesaid status report. The relevant extracts from the said status report is set out below:

*“4. That further, in the sealing proceedings as initiated u/s 345-A of DMC Act – 1957, upon following the due process of law, the necessary sealing order has also been passed by the Competent Authority i.e. Deputy Commissioner of South Zone – MCD vide dated 15/12/2025. Copy of sealing order is also annexed herewith as **Annexure -B.***

5. That further, pursuant to demolition order already passed in respect of the subject property, the Building Department – II of South Zone – MCD has taken / carried out the further necessary demolition action as per the details given herein below:

S.No	Date of Action	Action Taken
1.	29/09/2025	Upon availability of police force, 02 RCC panels have been demolished at Ground floor and steel reinforcement bars have also been cut down with the help of gas cutter.
2.	12/01/2026	Upon availability of police force,



		02 RCC panels of part of structure have been demolished at Ground floor and reinforcement bars cut down with the help of gas cutter.
3.	23/01/2026	Upon availability of police force, 02 RCC panels have been demolished at First floor and reinforcement bars cut down with the help of gas cutter.

*The photographs taken during the aforesaid demolition action are annexed herewith as **Annexure-A (Colly)**.*

6. That after taking the aforesaid demolition action, letters dated 30/09/2025, 13/01/2026 and 23/01/2026 have also been sent to concerned, SHO PS Fatehpur Beri, New Delhi with the request to direct the area patrolling staff to keep strict watch and ward over the subject property so that the demolished portion may not be restored / repaired.

*Copy of the said letters as sent are also annexed herewith as **Annexure -B (Colly)**.”*

8. A perusal of the status report shows that the property was duly inspected by the respondent no.1/MCD and based on the inspection, it was noted that the property is structurally safe, though there exists a certain state of disrepair in the property which can easily be taken care of by the owner/occupier. More importantly, the status report notes that there are *inter se* disputes between the owners of the subject property.

8.1. Along with the status report, the respondent no.1/MCD has filed the inspection report along with photographs and a sketch plan of the property.

9. Counsel for the petitioner submits that the aforesaid status report is erroneous and, in reality, the property is structurally unsafe and in a dangerous condition. He submits that the officials of respondent no.1/MCD



never inspected the site and never visited the same.

10. This contention is belied by the status report, which specifically notes that the property was duly inspected by the officials of the respondent/MCD.

11. Counsel appearing on behalf of the respondent no.5, who is one of the occupants of the aforesaid property, also submits that the property is not in a dangerous condition and the respondents carry out necessary repairs from time to time.

12. This Court has no reason to disbelieve the status report filed by the MCD. The contentions raised by the petitioner are, at best, disputed questions of fact which cannot be adjudicated in the present writ petition.

13. In light of the aforesaid, this Court does not find any merit in the present petition and the same is dismissed.

14. Consequently, all pending application(s) are disposed of.

AMIT BANSAL, J

JANUARY 27, 2026

Rzu