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

+ W.P.(C) 5293/2026, CM APPL. 25973/2026 & CM APPL. 25974/2026

MRS. JUBEDA BEGUM

.....Petitioner

Through: Mr. Vineet Jain, Advocate (*through* VC).

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Ms. Shilpa Dewan, Addl. Standing Counsel 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 the setting aside of the impugned order dated 28th February, 2026, passed by the Principal District and Sessions Judge (Central), Tis Hazari Courts, in an appeal filed by the petitioner.
2. By the impugned order, the appeal filed by the petitioner against the order of the Appellate Tribunal, MCD (hereinafter 'ATMCD') has been dismissed.
3. Earlier, the ATMCD had dismissed the appeal filed on behalf of the petitioner against the demolition order passed by the respondent/MCD on 26th July, 2022.
4. At this stage, reference may be made to paragraph 9 of the impugned order, which is set out below:



9. After examining the facts and circumstances of the case and submissions of all the parties, I am of the opinion that order passed by Appellate Tribunal, MCD dated 12.12.2022 does not call for any interference. The unauthorised construction was being raised by the appellant or her sons in the property in question and accordingly show-cause notice was issued to Jubeda Begum being one of the co-owner. The sons of Jubeda Begum appeared before Quasi Judicial Authority and represented their stand. However, no material was produced to show that only repairs were carried out. It is important to note that before the Appellate Tribunal, MCD, it has been admitted that load bearing wall was removed. The Tribunal noted that unauthorised construction in the shape of two rooms at first floor with projection on the municipal land was being raised without any sanctioned building plan and the removal of load bearing wall itself is a part of unauthorised construction. Counsel for appellant has referred to the site plan annexed with the sale deed to show that two rooms were already in existence at the first floor, but the construction was being raised on the open / terrace space and for this no explanation has been furnished. The photographs of the subject property have established that construction was being raised by extending the portion of first floor and not that only repairs were being carried out. The appellant has failed to substantiate her pleas, hence no merit is found in the appeal.

5. It is clear from a perusal of the aforesaid extracts of the impugned order that the petitioner had admitted before the ATMCD that the load-bearing wall had been removed. The Tribunal has also noted that unauthorized construction in the shape of two rooms on the first floor was



being raised without any sanctioned plan. The ground taken by the petitioner that she was only carrying out repairs was rejected.

6. No grounds for interference with the impugned order are made out in the exercise of the jurisdiction of this Court under Article 226 of the Constitution of India.

7. Accordingly, the present petition is dismissed.

8. Consequently, all pending applications stand disposed of.

AMIT BANSAL, J

APRIL 20, 2026

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