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

+ **W.P.(C) 5566/2026 with CM APPL. 27130/2026**

MIRZA FARMAN ALI

.....Petitioner

Through: Mr. Krishan Kumar, Mr. K.K. Nangia, Mr. Anubhav Kumar and Mr. Harish Bajaj, Advocates.

versus

GNCT OF DELHI & ORS.

.....Respondents

Through: Ms. Rachita Garg, Advocate for R-1 (through VC)
Mr. Aditya Bharat Manubarwala, Ms. Charvi Virmani, Mr. Gopal Singh and Mr. Naman Maheshwari, Advocates for MCD.
Mr. Parth Chadan, Advocate for R-2 & R-3.
Mr. Shiv Dayal, S.I., P.S. Dayalpur.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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24.04.2026

1. The present writ petition has been filed seeking a direction to the respondent no.2/MCD to demolish the unauthorized hospital running in the name of "My Care Hospital" running in residential property No.697 (Earlier 698-699), Gali No.7, old Mustafabad, Delhi.
2. It is stated that a Show Cause Notice has been issued by the respondent no.2/MCD on 26th March, 2024, alleging unauthorised construction on the ground floor and the first floor of the subject property.



The grievance of the petitioner is that no action has been taken despite the issuance of the said Show Cause Notice.

3. Pertinently, the private respondent, in respect of whose property action is sought, has not been made a party in the present petition.

4. Counsel appearing on behalf of the respondent no.2/MCD submits that a demolition order has been passed against the subject property. However, demolition could not take place due to a lack of police force. He submits that the first floor of the property has already been sealed, and MCD is in the process of sealing the ground floor of the subject property.

5. Taking note of the aforesaid submissions, the present writ petition is disposed of while directing the respondent/MCD to take appropriate action in accordance with law.

6. The respondent no.3/SHO, P.S. Dayalpur shall provide assistance, including police force to the the respondent no.2/MCD for carrying out action in accordance with law.

7. Pending application also stands disposed of.

8. In the event the petitioner has any further grievance with regard to unauthorised construction, he is at liberty to take appropriate remedies in accordance with law.

9. All rights, contentions and legal remedies of the owner/occupier shall remain protected.

AMIT BANSAL, J

APRIL 24, 2026

Vivek/-