



2026:DHC:3599



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 27.04.2026+ CONT.CAS(C) 734/2026

PARVEEN KUMAR BANSAL & ANR.Petitioners

Through: Mr. O.P. Gupta, Adv.

versus

SH. D.R. MEENA AND ANR.

.....Respondents

Through: Mr. Ashutosh Gupta, ASC, Mr.
Bharat Malhotra and Ms. Gayatri
Bhatia, Advs. for MCD.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

SACHIN DATTA, J. (ORAL)CM APPL.28067/2026 (Exemption)

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

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3. The present petition alleges wilful disobedience of the directions contained in the judgment/ order dated 24.09.2025 passed in CM(M) 1903/2025. The said judgment/ order reads as under:

"1. Petitioners have approached this Court invoking supervisory jurisdiction because the Appellate Tribunal MCD is currently not functional and is awaiting appointment of a Presiding Officer.

2. It is contended on behalf of petitioners that in case their appeal is not heard, the subject property may be demolished by the respondent MCD. It is submitted by learned counsel for petitioners that the appeal was filed on 02.09.2025 before ATMCD but the same got adjourned on



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03.09.2025 by the Reader because the new Presiding Officer is yet to join.

3. *Learned counsel for respondent MCD appearing on advance intimation accepts notice.*

4. *In similar matters, including CM(M) 1833/2025, the concerned counsel for MCD has been giving assurances that without prejudice to their rights and contentions, no precipitative action shall be taken by the respondent MCD against the subject property till stay application in the appeal is heard by ATMCD.*

5. *Going by the aforesaid, the present petition and the accompanying applications are disposed of restraining the respondent MCD from giving effect to the impugned demolition order and vacation notice till the stay application in appeal filed by the petitioner gets heard by the ATMCD.”*

4. The petitioners herein are owners / occupiers of the concerned property. It is the case of the petitioners that *vide* the aforesaid judgment/ order dated 24.09.2025, it was clearly recorded that no precipitative steps would be taken by the Municipal Corporation of Delhi (MCD) till the petitioners’ stay application is heard by the ATMCD.

5. Learned counsel for the MCD submits that the petitioners have not been diligent in pursuing the said application and in fact, no interim order/s, granting any protection to the petitioners have been passed by the ATMCD. As such, there is no judicial order which precludes the MCD from taking requisite action. Moreover, it is emphasized that taking of requisite action is mandated in terms of the order dated 24.09.2025.

6. Considering the circumstances, the following directions are issued:

(i) The petitioners shall be entitled to approach the ATMCD seeking interim order/s, if so warranted. The requisite application for the said purpose should be filed within a period of one week from today.



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(ii) It shall be for the ATMCD to consider whether any interim relief is to be granted to the petitioner. The same shall be considered by the ATMCD on its own merits based on the attendant facts and circumstances, without being influenced by any orders passed in these proceedings.

(iii) If no interim relief is granted by the ATMCD to the petitioners, upon the petitioners' application in this regard being first listed before the ATMCD, the MCD take appropriate action qua the property in question, in accordance with law.

7. The petition is disposed of in the above terms.

SACHIN DATTA, J

APRIL 27, 2026/cl