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

+ **W.P.(C) 4259/2025**

**RESIDENT WELFARE ASSOCIATION**

.....Petitioner

Through: None.

versus

**MUNICIPAL CORPORATION DELHI AND  
ANR**

.....Respondents

Through: Mr. Mukesh Gupta, Ms. Sneha Roy,  
Mr. Vanaj Vidyan, Ms. Madhu Yadav  
and Ms. Gurleen Kaur Sran,  
Advocates for MCD  
Mr. Rajesh Kumar, SPC with Ms.  
Pragya Yadav and Mr. Siddharth  
Shekhar, Advocates for R-2.  
Ms. Sangeeta Malhotra, SPC for R-3.  
Mr. Rajiv Dalal, Mr. Shresth Kaushik  
and Mr. Sanjeev Kumar Sharma,  
Advocates for R-4.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER**

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**11.03.2026**

1. The petitioner in the present petition is a Resident Welfare Association, New R Block, Dilshad Garden, Delhi - 110095.
2. Counsel for the petitioner submits that the respondent no.4 is in possession of *Plot No. 43A, near Petrol Pump Dilshad Garden, Delhi – 110095* (hereinafter 'subject property'). It is submitted that in the aforesaid plot, an unauthorized building has been raised by the respondent no. 4, without any sanctioned plan and in violation of building bye-laws along with an illegal basement. It is further submitted that the basement has been put



for commercial use by constructing a banquet hall in it, having an area of approximately about 1000 Sq. Yds.

3. Mr. Mukesh Gupta, counsel appearing on behalf of the respondents no.1 and 2/ MCD, submits that a demolition notice was issued by the respondents no.1 and 2/ MCD in respect of the subject property on 23<sup>rd</sup> June, 2025 which was challenged in a writ petition being W.P.(C) 622/2026 filed by Mr Rohit Aggarwal, brother of the respondent no.4, who has since been deceased . *Vide* order dated 7<sup>th</sup> February, 2026, the aforesaid writ petition was disposed of while giving liberty to Mr. Rohit Aggarwal to approach the Appellate Tribunal, MCD (hereinafter 'ATMCD').

4. Counsel appearing on behalf of the respondent no.4, submits that pursuant to the said order, Mr. Rohit Aggarwal has approached the ATMCD and has been granted an interim stay.

5. None appears on behalf of the petitioner.

6. None had appeared on behalf of the petitioner on the last date of hearing as well.

7. In view thereof, the present writ petition is disposed of.

8. Needless to state, the MCD shall take appropriate action based on the outcome of the appeal filed by Mr. Rohit Agarwal before the ATMCD.

**AMIT BANSAL, J**

**MARCH 11, 2026**

*Vivek/-*