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

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+ **W.P.(C) 6729/2026**

DR. AHMED KAMAAL

.....Petitioner

Through: Mr. Amiet Andlay, Mr. Arun K. Sharma and Mr. Mohd. Anis Ur Rehman, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI
& ORS.

.....Respondents

Through: Mr. Kapil Dutta, Ms. Vidhi Jain and Mr. Vansh Luthra, Advocates for MCD.

5.

+ **W.P.(C) 6749/2026**

DR AHMED KAMAAL

.....Petitioner

Through: Mr. Amiet Andlay, Mr. Arun K. Sharma and Mr. Mohd. Anis Ur Rehman, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI
& ORS.

.....Respondents

Through: Mr. Kapil Dutta, Ms. Vidhi Jain and Mr. Vansh Luthra, Advocates for MCD.

versus

7.

+ **W.P.(C) 6710/2026**

DR AHMED KAMAAL

.....Petitioner



Through: Mr. Amiet Andlay, Mr. Arun K. Sharma and Mr. Mohd. Anis Ur Rehman, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI
& ORS.

.....Respondents

Through: Mr. Kapil Dutta, Ms. Vidhi Jain and Mr. Vansh Luthra, Advocates for MCD.

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W.P.(C) 6713/2026

DR AHMED KAMAAL

.....Petitioner

Through: Mr. Amiet Andlay, Mr. Arun K. Sharma and Mr. Mohd. Anis Ur Rehman, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI
& ORS.

.....Respondents

Through: Mr. Kapil Dutta, Ms. Vidhi Jain and Mr. Vansh Luthra, Advocates for MCD.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

29.05.2026

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The present matter has been taken up today, i.e., 29th May, 2026 as 28th May, 2026 was declared a holiday.

1. Mr. Amiet Andlay, counsel appearing on behalf of the petitioner submits that respondents no.2 and 3 have been served by the petitioner through e-mail, in terms of the order passed this Court on 18th May, 2026.



1.1 Copy of the e-mail has been handed over in Court and the same is taken on record.

2. None appears on behalf of the respondents no.2 and 3 despite service.

3. The present writ petitions have been filed challenging the common impugned order passed by the Appellate Tribunal MCD (ATMCD) on 29th April, 2026.

4. In terms of the said order, a total of six appeals, four filed by the petitioner and two filed by respondents no.2 and 3, have been dismissed. The aforesaid appeals were filed against the demolition/sealing orders. Paragraphs 1 and 2 of the impugned order are set out below:

1. These are the six appeals challenging the following orders:

1. Demolition order dated 07.10.2016 in appeal no. 891/17 in respect of unauthorized construction of 07 rooms and a toilet.
2. Demolition order dated 02.02.2017 in appeal no. 795/17 in respect of unauthorized construction of 10 rooms and one toilet, passed in respect of Property No. F-107, Gali No. 06, Wazirabad, Delhi (here in after referred as subject property)
3. Sealing order dated 20.03.2017 in appeals no. 473/17 and 988/17.
4. Sealing order dated 21.12.2016 in appeals no. 987/17 and 53/17.

2. The appeals no. 987/17 and 988/17 have been filed by one Mr. Arun Kar and his wife Smt. Anrita Kar whereas other four appeals have been filed by Dr. Ahmed Kamaal.

5. The grievance of the petitioner is in respect of the directions passed in paragraph 12 of the impugned order, which is set out below:



12. Coming to the other two appeals filed by Mr. & Mrs. Kar. They have claimed that the property should be de-sealed to allow them to demolish the unauthorized construction which means that they admit the correctness of two sealing orders. They are at liberty to approach the Dy. Commissioner concerned to get the property temporarily de-sealed to carry out demolition as per law. The appeals challenging the sealing orders on merits are not maintainable and sealing orders are upheld. Their appeals are also dismissed.

6. Mr. Andlay submits that liberty has wrongfully been given by ATMCD to respondents no.2 and 3 to get the property temporarily de-sealed to carry out demolition.

7. Mr. Andlay submits that the property belongs to the petitioner and not respondents no.2 and 3.

8. Mr. Kapil Dutta, counsel appearing on behalf of the respondent/MCD questions the maintainability of the present appeal in view of the statutory remedy of appeal before the District Judge.

9. Mr. Andlay, on instructions, waives of the right to file the appeal before the District Judge and submits that the present writ petition may be decided by this Court.

10. It has been noted in paragraph 6 of the impugned order that there is a title dispute between the petitioner and respondents no.2 and 3 which is pending before the Civil Court. The relevant extract from the impugned order is set out below:

6. I have perused the record. The title dispute between the two set of appellants is sub-judice before the Civil Court. Further, this Tribunal is not competent to decide the title dispute between the two set of appellants. This Tribunal has to see whether the impugned orders are liable to be set-aside or to be upheld.



11. In view of the ongoing title dispute between the petitioner and respondents no.2 and 3, neither this Court nor respondent/MCD can go into the aspect whether the petitioner is the owner or in possession of the subject property.

12. Having heard the counsel for the parties, this Court is of the view that instead of granting liberty either to the petitioner or the respondents no.2 and 3 to demolish the unauthorized construction, the MCD itself should carry out the demolition of the unauthorized construction pursuant to the demolition orders dated 7th October, 2016 and 2nd December, 2017.

13. In view thereof, the present writ petitions stand disposed of and the impugned order stands modified to the aforesaid extent.

14. All pending applications stand disposed of.

AMIT BANSAL, J

MAY 29, 2026

Vivek/-