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

+ W.P.(C) 7968/2023 & CM APPL. 9539/2024, CM APPL. 13297/2025
CM APPL. 24828/2025, CM APPL. 31445/2025

MS. FARHAT

.....Petitioner

Through: Ms. Sonal Sinha, Advocate.

versus

GOVT. OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Abhinav Sharma and Mr.
Mahender Shukla, Advocates for
MCD.

Advocate for R-5 and R-6.
(appearance not given)

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **12.01.2026**

1. The present writ petition has been filed seeking orders thereby directing the respondents no.1 to 3, to demolish the building bearing property No.814, *Katra Hiddu, Farash Khana, Delhi-110006* (hereinafter the 'subject property'), which has been declared dangerous by the Municipal Corporation of Delhi ("MCD").

2. Attention of this Court has been drawn to the order dated 21st February, 2024, wherein inspection of the property was directed to be done by the MCD. Pursuant thereto, the MCD has filed its Status Report dated 1st November, 2023, wherein it has been stated as follows:



"xxx xxx xxx

2. That the property bearing no.814, Katra Hiddu, Farash Khana, Delhi-110006 was inspected again on 30.10.2023 wherein it was noticed that some portion of the property is in dilapidated condition. The property measures approx 350 sqm. There is an open courtyard measuring approx 75-100 sqm. in the centre and around that the building has been constructed on all the four sides. Some of the points based on visual inspection of the property in question with the naked eye from outside are as under:-

1. The above said property consists of an open courtyard in the centre and around that the building has been constructed on all the four sides.
2. The construction on one side of the property consists of Ground Floor, First Floor, Second Floor and part Third Floor. Some part of the building at ground floor seems to be disoriented and out of alignment.
3. Vertical and diagonal cracks are also observed on load bearing walls.
4. Some walls are not in alignment and a portion of the wall is tilting outwards.
5. The maintenance of the building is found to be of very low quality.
6. Settlement in a portion of the floor has also been served.
7. That two portions on two sides of the property comprises ground floor only and from visual inspection from outside the same does not appear to be in ruinous condition.
8. That in the fourth side of the property, an area of approx 75-100 sqm. comprises of ground floor and walls at first floor and a small room at second floor. The roof of the first floor in this portion has already been collapsed. The said portion is in a ruinous condition and is lying abandoned.

3. That it is respectfully submitted that in view of the observation, notices dated 01.11.2023 under section 348 & 349 of the DMC Act have been issued to the owners/occupiers directing them to vacate the property in question and demolish the dangerous portion marked in the said notices. A copy of said notices dated 01.11.2023 issued under section 348 & 349 of the DMC Act are annexed herewith as Annexure-A(Colly). The photographs showing current status of the property in question are also annexed herewith as Annexure-B(Colly).

xxx xxx xxx"



3. It is submitted on behalf of the respondent no.2/MCD that in view of the fact that the construction in the building in question was found to be dangerous, the MCD fixed a demolition program in the subject property on 27th February, 2025, along with the police officials from Police Station Lahori Gate, Delhi. However, the respondents no.5 and 6 obstructed the said demolition.
4. In the order passed by the Predecessor Bench on 28th April, 2025, this Court had directed MCD to engage a Structural Engineer to inspect the property in question and it was further directed that the Structural Engineer shall file his report with regard to the structural stability of the building.
5. On the next date of hearing, i.e., 21st May, 2025, at the request of counsel for the respondents no.5 and 6, MCD was directed to engage the services of a Structural Engineer from IIT, Delhi with a direction that the cost of the said Structural Engineer shall be borne by the respondents no.5 and 6.
6. During the course of hearing on 12th September, 2025, a statement was made by counsel appearing on behalf of the respondents no.5 and 6 that the fee quoted by the Structural Engineer from IIT, Delhi cannot be borne by his clients.
7. In these circumstances, the Court has no option but to proceed on the basis of the report of the Structural Engineer dated 14th May, 2025. For the ease of reference, the said Report is set out below:



AXIS ARCHITECTS & ASSOCIATES

(Architect & Engineer)

19 UPPER GROUND FLOOR MASIGARH SUKHDEV

VIHAR NEW DELHI 110025

9717448630

DATED:-14/05/2025

**NAME OF THE WORK:- Site Inspection Report of PROPERTY BEARING NO. 814,
KATRA HIDDU, FARASH KHANA, DELHI- 110006.**

STRUCTURAL STABILITY CERTIFICATE

I, undersigned, visited the subject mentioned Property along with the Sh. Rajpal Dagar, JE on 03.05.2025 and as per my observations, particulars of the site inspection report and findings of the site inspection as given below, it is certified that the subject-mentioned property in question is very dangerous and unsafe.

PARTICULARS OF THE REPORT

(A) APPOINTMENT

I have been requested by the MCD officials.

(B) DESCRIPTION OF THE PROPERTY

The existing Property consists of an open courtyard in the centre, and around that, the entire building is constructed on all four sides. It consists of load-bearing walls, P.C.C. Flooring, and Red Stone over T-iron roofing. The structure is very old and in a dilapidated condition. **On the Northern Side**, the property consists Ground floor, first floor, second floor, and part third floor. **On the Southern side**, the property consists of the Ground floor, first floor and part second floor. **On the Eastern side**, the property consists of the Ground floor and part first floor. **On the Western side**, the property consists of the Ground floor.

(C) OBSERVATIONS

Northern Side:

- This portion of the property was found occupied.
- Several wide and deep cracks were observed on the load-bearing walls at the ground floor.

AEI



- c) The brickwork has crumbled at several locations and resulted in large holes.
- d) A portion of the roof has also collapsed.
- e) The settlement of the flooring on the ground floor is also observed.
- f) Doors and windows are very old and do not contribute to providing any strength to the structure.
- g) The entire structure rests on this weak and crumbling portion of the ground floor, which does not have enough strength to support the load of the entire structure over it. Thus, the entire portion is very unsafe and may collapse at any moment.

Southern Side

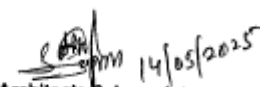
- a) The said portion of the property is in a ruinous condition and is lying abandoned.
- b) Most of this portion of the property has already collapsed.
- c) Thus, it is recommended that this portion of the building be demolished to avoid any mishap.

Eastern and Western Sides:

- a) No structural defects are noticed, and thus, this portion can be used with some minor repair and maintenance.

(D) FINAL CONCLUSION

According to the above-mentioned facts, it is quite evident that the subject property is in a very dangerous condition and structurally unsafe and not capable of withstanding even its own load. Thus, it is recommended that the Northern and Southern portions of the property be vacated and demolished immediately, to avoid any untoward incident in future for the occupants, neighbours, as well as passersby.


Axis Architects & Associates
Sarfraz Alam
MCD Registered Engineer
SE/8076
Off. 19, G.F. Mayapuri, Sukhdev Vihar
New Delhi-110005 (M. 9717448630)

(signature of structure engineer)

8. In view thereof, the present writ petition is disposed of directing the respondent no.2/MCD to take demolition action strictly in terms of the aforesaid report, i.e., the action shall be taken only in respect of northern and southern portions of the subject property, which are identified as dangerous



in the aforesaid report.

9. All pending application(s) stand disposed of accordingly.

AMIT BANSAL, J

JANUARY 12, 2026

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