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

+ **W.P.(C) 7018/2026 & CM APPL. 34428/2026**

RITESH KUMAR

.....Petitioner

Through: **Mr. Siddharth Malkania, Advocate.**

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: **Mr. Divye Chugh & Ms. Angel Bhardwaj, Advocates for R-1.**
Mr. Ankur Yadav, SPC with Ms. Anupriya Yadav, Advocates for Delhi Police.
Ms. Urvi Mohan, Advocate for GNCTD.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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20.05.2026

1. The present writ petition has been filed seeking demolition of the unauthorized construction carried out by the private respondent nos. 4 and 5, at *A-43, Jagat Puri Extension* (hereinafter 'subject property'), without any sanction plan. A further relief is sought claiming compensation from MCD on account of the death of the minor daughter of the petitioner, due to negligence of MCD.
2. Counsel appearing on behalf of the respondent no.1/ MCD, on advance notice, submits that a show cause notice has been issued in respect of the unauthorized construction at the subject property. Thereafter, the owners/occupiers filed an appeal before the Appellate Tribunal, MCD



(‘ATMCD’), which has been allowed *vide* order dated 12th May, 2026, whereby the show cause notice has been set aside and the matter has been remanded afresh to MCD for fresh adjudication.

3. In view thereof, the respondent/ MCD shall take appropriate action in terms of the order passed by the ATMCD, in accordance with law.

4. Insofar as the relief of compensation is concerned, the remedy of the petitioner to seek compensation would be against the owners/occupiers of the subject property, who were carrying out construction on account of which the petitioner’s daughter lost her life.

5. In view thereof, the present petition along with pending application stands disposed of, while giving liberty to the petitioner to take appropriate steps so as to claim compensation.

AMIT BANSAL, J

MAY 20, 2026

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