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

+ **CONT.CAS(C) 932/2026**

SHRI KRISHAN

.....Petitioner

Through: **Mr. Himansh Yadav, Adv.**

versus

MCD AND OTHERS

.....Respondents

Through: **Mr. Vikas Chopra, SC, Mr. Neeraj Kumar and Ms. Khushi, Advs., MCD.**

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **21.05.2026**

CM APPL.34863/2026 (Exemption)

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

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3. The present petition has been filed by the petitioner alleging wilful disobedience/non-compliance of the order dated 13.02.2026, passed in W.P.(C) 2072/2026. The same reads as under:

“W.P.(C) 2072/2026

2. The present writ petition has been filed seeking a direction to respondent/ MCD to take action against the unauthorized construction being carried out by the respondent no.3 at property bearing address H. No. 511, Village Bijwasan, New Delhi-110062 in violation of the building bye-laws and without any sanction plan.

3. It is submitted that the respondent no.3 has also encroached upon the public street. Photographs have been filed along with the petition.

4. A complaint in this regard was made with the respondent/ MCD on 29th January, 2026.

5. Counsel appearing on behalf of the respondent no.3 on advance



notice submits that a civil suit has been filed by the petitioner against the respondent no.3, which is currently pending before the trial court.

6. Counsel for the petitioner submits that no relief qua unauthorized construction or encroachment has been claimed in the said civil suit.

7. Counsel appearing on behalf of the respondent/ MCD submits that pursuant to the aforesaid complaint made the petitioner, the subject property has been booked on 9th February, 2026 and a 'work stop notice' has also been issued.

8. In view of the above, the present writ petition is disposed of while directing the respondent/ MCD to take appropriate action in accordance with law.

9. In the event the petitioner has any further grievance with regard to unauthorized construction, he is at liberty to take appropriate remedies in accordance with law.

10. All rights, contentions and legal remedies of the respondent no.3 are kept open."

4. Issue notice.

5. Mr. Vikas Chopra, learned Standing Counsel accepts notice on behalf of Municipal Corporation of Delhi (MCD). He submits that the entire property bearing address H. No. 511, Village Bijwasan, New Delhi-110062 is unauthorized and is required to be demolished.

6. He further submits that a demolition action has been scheduled on 26.05.2026, and that requisite action shall be duly taken on the said date. It is further assured and undertaken that if the demolition action *qua* the concerned property remains incomplete on the said date, further demolition action shall be scheduled after a short interval, so as to ensure that the entire unauthorized construction is fully demolished.

7. Let the concerned Executive Engineer of the MCD personally supervise the aforesaid process.



8. The SHO is also directed to maintain a vigil so as to ensure that there is no ongoing unauthorized construction. The SHO shall also provide adequate police personnel / security to ensure that the demolition action is carried out and taken to its logical conclusion.
9. The petition is disposed of in the above terms.
10. Let a compliance affidavit be filed within a period of eight weeks from today.

SACHIN DATTA, J

MAY 21, 2026/cl