



\$~37

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

+ W.P.(C) 7421/2026 & CM APPL. 36119/2026, CM APPL. 36120/2026

SMT ARATI RAY

.....Petitioner

Through: Mr. Pallav Arora, proxy counsel
Mr. Mohsin Sarwar, Advocate
(Through VC)

versus

MUNICIPAL CORPORATION OF DELHI & ORS.....Respondents

Through: Ms. Shaini Bhardwaj, proxy counsel

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **25.05.2026**

1. The lawyers are abstaining from work today.
2. Proxy counsel are present for the parties.

CM APPL. 36120/2026 (exemption)

3. Allowed, subject to just all exceptions.

W.P.(C) 7421/2026

CM APPL. 36119/2026 (seeking interim stay)

4. The present writ petition has been filed seeking a direction to the respondents to demolish the unauthorised construction in the shape of an extra floor on the common terrace of flat No.175-C, DDA Flats, Shahpur Jat, New Delhi. Photographs have been filed by the petitioner showing the unauthorised construction.
5. Proxy counsel on instructions from officials of MCD submits that the



subject property has been booked on 4th May, 2026 and a show cause notice has been issued on the same date. A reply to the show cause notice has been received on 19th May, 2026 and now a personal hearing has been granted by MCD to the respondent no.5, *i.e.* the owner/occupier of the subject property.

5.1 The aforesaid documents have been handed over in Court and are taken on record.

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

7. The respondent no.3/SHO Police Station, Hauz Khas, shall ensure that no unauthorised construction is carried out in terms of the work stop notice issued by MCD.

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

9. All rights, contentions and legal remedies of the owner/occupier/private respondent shall remain protected.

AMIT BANSAL, J

MAY 25, 2026

ds