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

+ **W.P.(C) 8011/2026, CM APPL. 38395/2026, CM APPL. 38396/2026
& CM APPL. 38397/2026**

SH KARTIK SHARMA

.....Petitioner

Through: Mr. Samman Vardhan Gautam, Ms.
Khushi Sharma, Mr. Priyam Tiwari
and Ms. Anshika Priyadarshini,
Advocates

versus

MUNICIPAL CORPORATION OF DELHI & ANR.Respondents

Through: Mr. Kapil Dutta, Standing Counsel
for MCD
Mr. Pritish Sabharwal, SPC for UOI
with Ms. Shweta Singh and Mr.
Sanjeet Kumar, Advocates for
R-2/SHO

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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29.05.2026

1. The matter has been taken upon mentioning at 04:00 PM.

CM APPLS. 38396/2026 & 38397/2026 (exemption)

2. Allowed, subject to all just exceptions.

W.P.(C) 8011/2026

CM APPL. 38395/2026 (seeking ad interim relief)

3. The present writ petition has been filed seeking the following reliefs:-



- a. allow the present writ petition and issue a writ of mandamus or any other appropriate writ, order, or direction, directing the respondents, their officials, agents and representatives to refrain from taking any coercive action, including demolition/ sealing action in terms of sealing order dated 12.02.2026 against the property of the petitioner situated at B-1/170, Third Floor, Janakpuri, New Delhi; and
 - b. pass any writ, order, direction thereby restraining respondent MCD from restraining the petitioner from taking any repair/ renovation works in the subject property; and
 - c. pass any other or further order(s) as this Hon'ble Court may deem fit and proper in the interest of justice.
4. The petitioner is an occupant of the third and fourth floors of the property bearing no.B-1/170, Third Floor, Janakpuri, New Delhi.
5. Earlier, a demolition order as well as a sealing order dated 4th December, 2025, was passed in respect of the entire property. The petitioner filed an appeal against the said order before the Arbitral Tribunal, MCD. ATMCD, vide order dated 2nd April, 2026, granted interim protection in favour of the petitioner.
6. Subsequently, an application for vacation of stay was filed by MCD before the ATMCD, on which an order was passed by ATMCD on 25th May, 2026, vacating the interim protection granted in favour of the petitioner. Paragraph 8 of the said order is set out below:-
- “In these facts, the interim protection dated 02.04.2026 is vacated. The appellant is directed to demolish the entire construction at the fourth floor within three days from today failing which the respondent is directed to demolish the entire construction at fourth floor at the cost of the appellant.”*
7. The grievance of the petitioner is that only three days' time has been



given to the petitioner to carry out the demolition of the fourth floor, failing which, the respondent/MCD has been directed to carry out the demolition. He submits that pursuant to the aforesaid order, MCD officials have reached the premises of the petitioner to carry out the demolition.

8. In my considered view, adequate time should have been given to the petitioner to invoke his legal remedies against the impugned order.

9. This Court is also conscious of the fact that today is the last working day before the summer recess of this Court.

10. In view thereof, the present writ petition is disposed of while granting time to the petitioner till 7th July, 2026, to avail appropriate remedies in law against the order passed by the ATMCD on 25th May, 2026.

11. The respondent no.1/MCD shall be entitled to carry out demolition action in the event the petitioner is unable to obtain interim protection on or before 7th July, 2026.

AMIT BANSAL, J

MAY 29, 2026
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