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

+ W.P.(C) 8055/2026, C.M. APPL. 38567/2026, C.M. APPL. 38568/2026 & C.M. APPL. 38569/2026

SH. MUKESH KUMAR

.....Petitioner

Through: Mr. H.S. Phoolka, Sr. Adv. with Ms. Nandita Rao, Mr. Jai Shankar, Mr. Manoj Makhija, Ms. Gurpreet Kaur, Mr. Durgesh K. Gupta, Mr. Ashish Kumar, Mr. Kartik Goyal & Mr. Ajad, Advs.

versus

MUNICIPAL COROPRATION OF DELHI

.....Respondent

Through: Mr. Neeraj Kumar, Standing Counsel for MCD (through VC).

**CORAM:**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

**03.06.2026**

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 226 of the Constitution of India seeks the following prayers:-

“A. Set aside and quash vacation Notice dated 01.06.2026 received on 02.06.2026 ref.No. 416/EE(B)-1/CLZ/2026 ISSUED BY THE MCD and subsequent action passed by Respondent.

B. Pass any other or further orders/directions/relief as deemed fit and proper by this Hon'ble court under the facts and circumstances of the case, in favour of the Petitioners and against the Respondent in the interest of equity and Justice.”

3. Learned Senior Counsel appearing on behalf of the petitioner submits that *vide* order dated 03.06.2026, learned PO, Appellate Tribunal MCD had



passed the following order:-

“Submissions heard. File perused.

An application has been filed to amend the appeal to challenge the demolition order dated 30.09.2025 along with proposed amended appeal. Since, notice has not yet been issued, the application is allowed and the amended appeal is taken on record.

Issue notice of interim applications) as well as appeal to the respondent/MCD through concerned Chief Law officer and also to the private respondents), if any.

The Executive Engineer (B) is directed to ensure the presence of the concerned AE(B), who shall appear in person along with the record of the proceedings, status report and reply on next date of hearing.

Put up for arguments on interim application(s) and appeal on 13.07.2026

Till next date of hearing, no coercive action be taken against the property of appellant i.e. Property no. 13/2450, Punjab Basti, Delhi, in pursuance of the demolition order dated 30.09.2025. However, it is made clear that no encroachment on the public land is protected. The appellant is directed not to raise any further construction in the property in question.”

4. In view of the above, the present petition is disposed of with liberty to the petitioner to initiate appropriate proceedings in accordance with law, in case the learned Appellate Tribunal upholds the demolition order.
5. Pending application(s), if any, also stands disposed of.
6. Order be uploaded on the website of this Court, *forthwith*.

**AMIT SHARMA, J  
(VACATION JUDGE)**

**JUNE 3, 2026/nk/db**