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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 1126/2025

DHARAMBIR SINGH

.....Petitioner

Through: Mr. Amit Kumar, Adv. along with
Petitioner-In Person

versus

MUNICIPAL CORPORATION DEPARTMENT DELHI & ANR.

.....Respondents

Through: Mr. Vikas Chopra (SC) along with
Mr. Neeraj Kumar, Advs. along with
Mr. Manish Jain (Executive Engineer-
MCD)

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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03.02.2026

1. The present petition alleges wilful disobedience of the directions contained in the order dated 09.07.2025 passed by this Court in W.P(C) 9449/2025. The operative directions therein read as under:-

2. Responding to the present petition, learned counsel appearing for respondent no. 1/MCD submits that a Demolition Order against the unauthorized construction existing in the property in question, has already

been passed and that an appropriate action is now fixed on 16th July, 2025.

3. Accordingly, MCD is held bound to take requisite action against the unauthorized construction in the property in question after following due process of law.

4. It is directed that as and when police force is required by the MCD for taking requisite action against the existing unauthorized construction, the same shall be provided by the Station House Officer ("SHO") of the local police.

2. Learned counsel for the MCD submits that part action was taken in



respect of the aforesaid unauthorised constructions and a status report dated 10.11.2025 has been filed on behalf of the MCD which reads as under:-

3. That the property was booked for unauthorized construction vide u/c file no. 05/UC/B/N/25 Dated 10/01/2025. After personal hearing was granted to the owner/occupier a speaking cum demolition order was passed vide order no. AE/B/NRZ/2025/D-804 Dated 27/03/2025. Copy of speaking cum demolition order dated 27/03/2025 is annexed as **Annexure-R-1**.
4. That in compliance of the order dated 09.07.2025 passed by the Hon'ble Court in W.P(C) 9449/2025, demolition action was taken on 21/07/2025 at the property. Photographs of the demolition action are annexed as **Annexure-R-2**.
5. That the owner/occupier namely Sh. Babita Devi has filed an appeal before learned ATMCD against the demolition order vide appeal no. 455/2025. The matter was listed on 12/09/2025, however, the term of presiding officer was expired and the matter was deferred to 21/11/2025.
6. That as the matter is now subjudice before the Hon'ble ATMCD, action will be as per the directions of the Hon'ble Tribunal.

3. It is informed today that *vide* order dated 21.11.2025 the Appellate Tribunal, MCD, has directed that no coercive steps be taken against the property. The proceedings before the Appellate Tribunal are stated to be still pending.

4. In the above conspectus, it cannot be said that there has been any wilful disobedience on the part of the respondents of the order passed by this Court. No further orders are required to be passed in the present petition. The same is accordingly disposed of.

5. Needless to say, it shall be open to the petitioner to take appropriate



legal remedies in accordance with law including impleadment/ participation in the proceedings before the Appellate Tribunal, MCD (as may be permissible under law).

SACHIN DATTA, J

FEBRUARY 3, 2026/uk/uk