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

\# **CNR No. DLHC010515652026**

\+ W.P.(C) 15827/2026, CM APPL. 74022/2026, CM APPL. 74023/2026

TRILOK CHAND .....Petitioner

Through: Ms. Beenashaw N. Soni, Sr. Adv. with Mr. Rishabh, Ms. Katyani Malhotra, Ms. Ann Joseph and Ms. Malika Bishnoi, Advs. (9915121347)

versus

MUNICIPAL CORPORATION OF DELHI & ANR....Respondents

Through: Mr. Aditya Chandra, Standing Counsel (MCD), with Mr. Durga Dass Vashist, Adv. (9717444444)

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

O R D E R

% 28.10.2026

1. By virtue of the present petition under *Article 226* of the Constitution of India, the petitioner seeks the following reliefs:

> *"(a) Issue a writ of certiorari or any other appropriate writ, order or direction quashing and setting aside the Vacation Notice No. D/AE(B)/KBZ/2026/3207 dated 23.10.2026 issued by the Assistant Engineer (Building), Karol Bagh Zone, Municipal Corporation of Delhi under Section 349 of the DMC Act, 1957 in respect of Property No. 3445 (also recorded as 3445/3), Gali No. 3, Regar Pura (Raigarpura), Karol Bagh, New Delhi-110005; AND*

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(b) Issue a writ of mandamus or any other appropriate writ, order or direction directing the Respondents to furnish to the Petitioner, within one week, complete copies of (i) the show cause notice, if any, issued under the first proviso to Section 343(1) of the DMC Act in respect of the premises, with proof of its service; (ii) the order of demolition under Section 343(1) referred to in the impugned notice, with the statement of reasons; and (iii) the statement of reasons recorded under the proviso to Section 349(1); AND

(c) Direct the Respondents not to take any action against the premises under Sections 343(6), 344(2), 345A or 349 of the DMC Act, including vacation, removal of occupants, sealing or demolition till the pendency of the present petition; AND

(d) In the alternative to prayers (a) to (c), grant liberty to the Petitioner to challenge the order of demolition before the Appellate Tribunal, MCD within such period after its supply as this Hon'ble Court may fix, and direct that no coercive action be taken against the premises or its occupants until the Appellate Tribunal has considered the Petitioner's application for interim relief; AND/ OR

(e) Pass such other and further orders as this Hon'ble Court may deem fit and proper in the interest of justice."

2. At the outset, learned counsel for the MCD has handed over a compilation of copies of documents comprising of the Show-Cause Notice dated 11.06.2018, a subsequent Hearing Notice dated 10.07.2018, and lastly the Demolition Order dated 19.07.2018, which have all been issued by the MCD to the petitioner. All the said documents are taken on record.

3. A bare perusal of the averments made and the grounds raised by the petitioner herein reflect that it is the case of the petitioner that he never received any Show-Cause Notice or statement of reasons in terms of *Section 343* of the Delhi Municipal Corporation Act, 1957, however, the

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documents handed over by learned counsel for the MCD clearly belie the same, as the same not only reflect that the Show-Cause Notice dated 11.06.2018 was not only duly served on the petitioner, but had also been duly replied by him, duly received by the MCD on 13.06.2018. That the reply contains the very same signatures which are similar to those in his affidavit filed herein. In fact, in the order of demolition passed on 19.07.2018, which has not been challenged by the petitioner till date, also reflects as under:-

> *"In response to the aforesaid show cause notice and subsequent call letters, Sh. Trilok Chand submitted reply and also attended the hearing. In the reply it has been stated that the property is old constructed and was not in good condition. It has been submitted that no unauthorized construction has been raised and also no addition/alteration has been done and only repair/renovation work has been carried out. However he has failed to submit any document to prove his statement or to show that the impugned constructions mentioned in the show cause notice dated 11.06.2018 is authorized. Therefore, the impugned construction mentioned in the show cause notice dated 11.06.2018 is unauthorized and is liable to be demolished."*

4. In view thereof, this Court is of the opinion that the petitioner is clearly guilty of *suppressio veri* and *suggestio falsi* as he has deliberately concealed facts which were very well not only within his knowledge but also he had duly acted thereafter as well as also has blatantly pleaded to the contrary thereof, with a sheer mala fide intention of misguiding this Court so as to seek an order from this Court. The petitioner has thus knowingly approached this Court with unclean hands. This practise is to be deprecated.

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5. Under such circumstances, all assertions made, grounds raised and/ or the arguments addressed in support thereof by learned senior counsel for the petitioner are negated and need not be gone into.

6. As such, the present petition is dismissed *in limine* with costs of *Rs.1,00,000/-* (*Rupees One Lakh Only*) to be deposited with Delhi High Court Bar Association Lawyers Social Security and Welfare Fund [A/C 155530100009730; IFSC UCBA0001553] within a period of *two weeks.*

7. List for compliance before Registrar on 25.11.2026.

SAURABH BANERJEE, J

OCTOBER 28, 2026/rr

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