



\$~19

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

+ **W.P.(C) 18518/2025**

GAURAV AHLAWAT

.....Petitioner

Through: Mr. Samman Vardhan Gautam, Mr. Priyam Tiwari, Ms. Khushi Sharma and Ms. Anshika Priyadarshini, Advocates (Through video-conferencing).

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Ms. Mansi Gupta, Advocate (Through video-conferencing)
Mr. Imran Khan, Ms. Aarushi Jain and Mr. Divyansh Rawal, Advocates for R-4 (Through video-conferencing).
Mr. Kameshwar Nath Mishra, Sr. Panel Counsel with Ms. Vidya Mishra, Advocate and SI Satish Kumar, PS- BARA Hindu Rao.
Mr. Sandeep Aggarwal, Senior Adv. with Mr. Ayush Gupta, Advocate, for owner of property.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

23.02.2026

%

1. The present writ petition has been filed seeking directions to the Municipal Corporation of Delhi (MCD), to take requisite action against the unauthorised construction existing in property bearing no.4153-4174, *Sadar*



Bazar, New Delhi-110006 (hereinafter ‘subject property’), pursuant to the Show Cause Notice dated 29th September, 2025.

2. Counsel appearing for the petitioner submits that earlier, *vide* an order dated 8th October 2025, passed in W.P.(C) 15375/2025, titled as “*Gaurav Ahlawat v. Municipal Corporation of Delhi & Ors.*”, this Court had noted that a personal hearing was being granted to the owner/occupier of the property in question by the MCD.

3. However, it is submitted that till date, no speaking order has been passed by the MCD. Rather, the unauthorised construction has been allowed to be completed.

4. This Court, while issuing notice in the writ petition on 5th December, 2025, had expressed a serious concern that, despite the fact that the property has been booked for unauthorised construction, the owner/occupier of the property has been permitted to carry on with the construction. Accordingly, the respondent no.1/MCD and respondent no.2/SHO were directed to file an explanation along with an action taken report.

5. Pursuant to the aforesaid, a status report has been filed on behalf of respondent no.1/MCD on 20th February 2026, wherein it is stated that a demolition order for the unauthorised construction on the ground floor, first floor, second floor and third floor, as also projection on the municipal land on the aforesaid floor was passed on 8th December, 2025. Subsequently, demolition action was fixed for 6th February 2026 and the roof slab of the third floor was demolished. A watch and ward letter dated 6th February 2026 was also issued to the concerned SHO, PS Bara Hindu Rao, Delhi.

6. It is stated in the status report that the owner/occupier of the subject property has filed an appeal before the Appellate Tribunal, MCD



(‘ATMCD’), wherein on 12th February 2026, an order has been passed that till the time the regularisation application filed by the owner/occupier is not decided, no coercive steps shall be taken in respect of said property.

7. In paragraph no.7 of the status report, the respondent no.1/MCD has given an explanation in terms of the order passed by this Court on 5th December, 2025.

8. A status report has also been filed by the PS Bara Hindu Rao stating that the demolition action has been taken against the subject property on 6th February, 2026 and adequate police force was duly provided for the same.

9. In view of the fact that ATMCD is seized of the unauthorised construction in the subject property, the present petition is disposed of, with a direction that the respondent no.1/MCD shall take appropriate action based on the outcome of the appeal filed by the private respondent.

10. Liberty is given to the petitioner to seek impleadment before the ATMCD.

AMIT BANSAL, J

FEBRUARY 23, 2026/JYH