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

+ **W.P.(C) 19241/2025 & CM APPL. 27621/2026**

VIJAY KHODARIA & ANR.

.....Petitioners

Through: Mr. Sanam Malhotra, Advocate.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS.**

.....Respondents

Through: Mr. Sunil Goyal, ASC for MCD with
Ms. Tanveet Kaur, Ms. Deepa
Rathore and Ms. Happy Kumari,
Advocates for R-1/MCD.
Mr. Arjun Mahajan, SC with Mr.
Apoorv Upamanyu, Mr. Ravikant
Kumar and Mr. Vishal Sejwan,
Advocates for R-2/STF.
Mr. Murari Kumar Singh, Mr.
Aayush Garg and Ms. Kanak Kumari,
Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

27.04.2026

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1. The present writ petition has been filed seeking directions to the respondent no.1/MCD, to take action against the unauthorised construction carried out by the private respondent no.3, at the *ground floor and first floor at property No. 43-46, Main Road, Chandni Chowk, Delhi-110006.*
2. Status report on behalf of the respondent no.1/MCD has been handed over in Court today and the same is taken on record. In the status report, it is



stated as under:

- i. A sealing order against the unauthorised construction in the shape of the entire ground floor, first floor, second floor, third floor and fourth floor was passed on 8th April, 2024.
 - ii. Sealing action was taken in respect of the fourth floor on 30th August, 2024 and the same has been sealed at two points.
 - iii. The sealing order dated 8th April, 2024 was challenged by the private respondent no.3 before the Appellate Tribunal MCD (hereinafter 'ATMCD') by way of a statutory appeal.
 - iv. The said appeal was disposed of on 7th November, 2024, in terms of which the sealing order dated 8th April, 2024, was set aside, holding that the ground floor and first floor of the property is entitled to protection under the National Capital Territory of Delhi Laws (Special Provision) Second Act (hereinafter 'NCT Law'). The ATMCD also held that the second and third floor of the property are also entitled to protection under the NCT Law.
 - v. *Vide* a separate order on the same date, the demolition order dated 8th April, 2024 was also set aside, holding that the ground floor and first floor are entitled to protection under said NCT Law.
 - vi. Accordingly, the property was permanently de-sealed on 22nd November, 2024.
 - vii. The ATMCD has also directed that the impugned order shall remain operative insofar as the fourth floor of the subject property is concerned.
3. Taking into note the submissions made in the status report, the present petition stands disposed of.



4. Pending application stands disposed of.

APRIL 27, 2026

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AMIT BANSAL, J