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

+ **W.P.(C) 19839/2025**

HEMANT CHOUDHARY

.....Petitioner

Through: Petitioner-in-Person (through VC).

versus

GOVT. OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Balendu Shikhar, Mr. Krishna Chaitanya, Mr. Rajkumar Maurya & Mr. Divyansh Singh, Advocates for Respondent No.2/DPCC.

Mr. Shashank Bajpai, CGSC along with Mr. Varun Pratap Singh, Ms. Aashna Mehra, Mr. Vatsal Tripathi & Mr. Govind Singh Chauhan, Advocates for Respondent No.5.

Mr. Siddhant Nath, Standing Counsel along with Ms. Bhavishya Makhija & Mr. Amaan Khan, Advocates for MCD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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08.01.2026

1. Heard the learned Counsel for the Parties.
2. This Petition has been filed with the following prayers:

“a) Issue a writ of mandamus or other suitable writ under Article 226 of the Constitution of India directing the Respondents no. 1 & 2 to initiate immediate action by sealing the sites for violation of graded response action plan (Grap Stage III & IV) was implemented in Delhi by the respondent no. 6, 7,8 & 9.



b) Issue a writ of mandamus or other suitable writ under Article 226 of the Constitution of India directing the Respondents No.3 & 4 to book the property, take appropriate action for removal and demolition of the unauthorized and illegal construction carried out by the respondent no. 6, 7, 8 & 9, at the sites mentioned and subsequently seal the same which is illegal and unauthorized, as per there statutory duty.

c) Issue a writ of mandamus or other suitable writ under Article 226 of the Constitution of India directing the Respondent no. 4 & 5 to take steps to restrain Respondent no. 6, 7, 8 & 9 from raising further illegal construction at the sites mentioned.”

3. Prayer (a) as quoted above is in respect of initiating certain action against the construction sites which are set to be in violation of graded response action plan (GRAP Stage III & IV).

4. For the said purpose, we permit the Petitioner to make a representation to the Commission for Air Quality Management in National Capital Region and Adjoining Areas Act, 2021, within a week. If any such representation made, this shall be adjudicated the Appellate Authority of the said Commission and an appropriate action warranted under the law, taking into account Section 12 of the said Act, also be taken with expedition.

5. Prayers (b) and (c) made in the Writ Petition under certain complaints about demolition of unauthorized and illegal constructions said to have raised by Respondent Nos. 6, 7, 8 and 9.

6. For the said purpose, we also permit the Petitioner to represent before the appropriate authority of the Municipal Corporation of Delhi, within a week and the same shall be considered and decided in accordance with law.

7. We make it clear if any action is being taken against Respondent Nos.



6, 7, 8 and 9, the appropriate opportunity shall also be provided as per the requirement of the law.

8. The Writ Petition stands disposed of.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

JANUARY 8, 2026/ 'A'