

04.07.2026

**Present:-** Sh. Madan Lal Sharma, Ld. Counsel for the  
Appellant through VC.  
Sh. Rajiv Bhardwaj, Ld. Counsel for the Respondent  
No.1 / MCD.  
Applicant Sat Prakash with Sh. Amit Gupta, Ld.  
Counsel.

Part arguments heard on the appeal.

It is argued by Ld. Counsel for the appellant that show cause notice was not served upon the appellant and he only found the same affixed on the outside wall of his house after the date of passing of demolition order and the said fact has not been considered by Ld. ATMCD. Therefore, impugned order of demolition needs to be set aside.

On the other hand, Ld. Counsel for MCD submits that show cause notice was sent to the appellant by way of post but he refused to accept the same and thereafter, show cause notice was served by way of pasting and the said fact has duly been considered by Ld. ATMCD and accordingly, dismissed the appeal.

I have heard the submissions of both the side.

Since the issue is narrow down to the service of show cause notice, it would be appropriate to see from the record of MCD that whether show cause notice has been sent or not. Therefore, **let MCD produce the original record of demolition**

**Contd./-...**

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order dated 17.08.2022 pertaining to the appellant.

In the meanwhile, the MCD will not take coercive action against the appellant to the extent of demolition order, till the next date of hearing. However, MCD is at liberty to take appropriate action if there is any fresh construction.

Put up for further arguments on the appeal on 23.07.2026.

(SANJEEV KUMAR AGGARWAL)  
Principal District & Sessions Judge (South)  
Saket Courts, New Delhi / 04.07.2026