



\$~35

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

+ W.P.(C) 1570/2026 with CM APPL. 7633/2026, CM APPL. 14328/2026 and CM APPL. 18880/2026

SHALABH JASORIA

.....Petitioner

Through: Mr Amogh Kumar Singh and Mr. Pratik Malik, Advocates.

versus

MUNICIPAL CORPORATION DELHI
& ORS.

.....Respondents

Through: Mr. Hemant Singh, Mr. Attrey Gupta, Mr. Aman Bidhuri and Ms. Urvashi Jain, Advocates for R-1/MCD.
Mr. Awadhesh Kumar Singh, SPC for R-2/UoI.
Mr. Parveen Sonthey, Advocate for R-3.
Mr. Pritish Sabharwal, Advocate for SHO.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

26.05.2026

%

1. The present writ petition has been filed seeking a direction to the respondents no.1 and 2 to demolish the unauthorised construction being carried out by the private respondents no.3 and 4 on the Terrace Floor of *Property No. 10/62, Park Area, Gangeshwar Dham Marg, New Delhi* (hereinafter 'subject property').

2. It is stated that the petitioner resides on the First Floor of the subject



property, whereas the respondents no.3 and 4 reside on the Second Floor and are carrying out the aforesaid unauthorised construction in violation of the prevailing municipal by-laws. Complaints have been made by the petitioner to the respondent no.1/MCD and respondent no.2/Delhi Police however, no action has been taken.

3. A status report has been filed on behalf of the respondent/MCD on 7th April, 2026.

4. In the status report, it has been stated that pursuant to W.P.(C) 5190/2018 filed by the petitioners earlier, demolition action against the subject property was taken on 26th November, 2018, 9th May, 2019, and 17th May, 2019, with the help from the Police authorities. In view of the fact that appropriate action against the subject property had been taken, W.P. (C) No. 5190/2018 was disposed of by this Court *vide* order dated 11th October, 2019.

5. The status report further states that the property was inspected again and it was found that the owner/occupier of the property has carried out repair of the demolished structure on the fourth floor of the subject property. Hence, to carry out demolition action, a vacation notice was issued on 2nd March, 2026.

6. Counsel appearing on behalf of the private respondent no.3 disputes the averments made in the status report.

7. The abovesaid vacation notice was challenged by the private respondent no.3 by filing an application being CM APPL. 14328/2026 seeking stay of the vacation notice during the pendency of the present writ petition.

8. On the said application, an order was passed by this Court on 10th



March, 2026 directing MCD to grant a personal hearing to the private respondent no.3 before proceeding to take further action.

9. The status report further states that pursuant to the order passed by this Court on 10th March, 2026, a hearing was given to the private respondent no.3 on 18th March, 2026 and the regularization application submitted by the private respondent no.3 has been rejected on 2nd April, 2026.

10. In view thereof, the present writ petition is disposed of while directing the respondent/MCD to take appropriate action in accordance with law and in an expeditious manner.

11. In the event the petitioner has any further grievance with regard to unauthorised construction, he is at liberty to take appropriate remedies in accordance with law.

12. All rights, contentions and legal remedies of the private respondents no.3 and 4 are kept open.

13. Pending applications stand disposed of.

AMIT BANSAL, J

MAY 26, 2026

Rzu