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

+ **CONT.CAS(C) 536/2024 CM APPL. 46230/2024**

SH PAWAN KUMAR

.....Petitioner

Through: Mr. Varun Jain, Adv. (through VC)

versus

SH GYANSH BHARTI & ANR.

.....Respondents

Through: Mr. Gaganmeet Singh Sachdeva (SC)
for MCD. (through VC)
Mr. Rajiv Bajaj, Mr. Vidur Marwah,
Adv. Ms. Shivani Bardia, Adv.
(through VC). Adv. for R-3

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

09.05.2025

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1. There is no stay by ATMCD, as informed by counsel for MCD. He, however, points out to *Action Taken Report* dated 7th August 2024, as per which, the demolition action had already been carried out and photographs have already been appended.
2. The order dated 13th August 2024 had been passed by the predecessor Bench to stay the demolition action since decision on the appeal by the ATMCD had not been passed in absence of Presiding Officer of ATMCD. However, the position has changed since then and the ATMCD is fully functioning. However, no stay order has been passed by the ATMCD.
3. The order dated 13th August 2024 will, therefore, not hold good anymore and MCD is free to take action in accordance with law, relating to



the demolition.

4. Counsel for respondent no.3 states that there is a stay order, however, neither the counsel for MCD is aware of it nor the same has been filed on record of this Court.
5. Accordingly, re-notify on 14th October 2025.
6. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 9, 2025/ak/na