



\$~38

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

+ **W.P.(C) 7947/2025 & CM APPL. 34955/2025**

REKHA RANI KINHA & ANR.Petitioners

Through: Mr. Rishi Manchanda, Advocate
(M:9911681178) Email:
rishimanchanda.adv@gmail.com

versus

BSES RAJDHANI POWER LIMITED & ANR.Respondents

Through: Mr. Kapil Datta, Mr. Vansh Luthra,
Mr. Siddharth Parashar, Mr. Chirag
Sharma, Advocates for MCD
(M:9650044230)
Email: Studiojuris.sid@gmail.com
Mr. Moksh Arora, Mr. Santosh
Ramdurg, Advocates for BSES
(M:7982486879)
Email: santosh@kdatta.in

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

%

10.07.2025

1. Learned counsel appearing for respondent No. 2-Municipal Corporation of Delhi ("MCD"), submits that the construction of property bearing no. *M-53, Greater Kailash, Part-II, New Delhi-110048* ("subject property"), is still incomplete.
2. Mr. Kapil Dutta, learned counsel appearing for the MCD, has handed over a copy of the additional Status Report on behalf of respondent no. 2-MCD, which is directed to be brought on record.



3. It is further submitted that there exists unauthorised construction in the basement, stilt and terrace of subject property. He further submits that a Demolition Order, *qua* the same, has already been passed by the MCD.

4. Responding to the submission that the building is still not complete, learned counsel for the petitioners has handed over a photograph to this Court, which is reproduced as under:



5. The aforesaid photograph, handed over by the learned counsel for the petitioners, clearly shows that the property is still under construction, as the



walls of various floors, are yet to be constructed.

6. At this stage, the learned counsel appearing for the petitioners submits that inadvertently, he has handed over an old photograph, and the building is already complete. In support of the same, he has handed over the photographs of the 3rd floor of the subject property to this Court, two of which are reproduced, as under:





7. Perusal of the subsequent photographs, handed over by the learned counsel appearing for the petitioners, shows that the said photographs pertain to the inner structure, wherein, certain rooms and furniture therein, have been set up.
8. Learned counsel for the respondent no. 2 - MCD submits that the Completion Certificate in respect of the subject property, is yet to be issued.
9. Accordingly, at this stage, this Court is not inclined to pass any order in favour of the petitioners.
10. As directed hereinabove, let the additional Status Report, on behalf of the respondent no. 2 - MCD, be brought on record. Response, if any, be filed by the petitioners, within a period of four weeks, from today.
11. Re-notify on 25th August, 2025.

JULY 10, 2025/sn

MINI PUSHKARNA, J