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

+ W.P.(C) 8719/2024, CM APPL. 35592/2024, CM APPL. 45370/2024,
CM APPL. 66231/2024 & CM APPL. 66232/2024

SUBHASH CHANDER

.....Petitioner

Through: Mr. Prashant Diwan, Ms. Ishika
Jindal and Mr. Brajesh Dwivedi,
Advs.

Versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Pritish Sabharwal, SC for MCD
Mr. Jasleen Kaur, Adv. for MCD
Mr. Gulvinder Khatri, applicant in
person

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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17.11.2025

1. Learned counsel appearing for the petitioner submits that as far as unauthorized construction on the first and second floors of the property is concerned, action has already been taken by the Municipal Corporation of Delhi ("MCD").
2. He further submits that construction existing on the ground floor is protected under the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 ("Delhi Special Laws").
3. At this stage, learned counsel appearing for the respondent-MCD



submits that the MCD be granted liberty to carry out fresh inspection of the property, in order to assess the status of the property.

4. Accordingly, MCD is directed to inspect the property and assess as to whether the ground floor of the property is protected under the Delhi Special Laws, as submitted by the petitioner.

5. Further, the MCD shall also inspect the property of the petitioner, in *toto* in order to assess as to whether the unauthorized construction existing in the property already stands removed.

6. After inspection, at the time of passing an order with regard to the issue as to whether the property of the petitioner on the ground floor is protected under the Delhi Special Laws, the MCD is at liberty to seek any documents that may be necessary, from the petitioner.

7. This Court also takes note of the submission made on behalf of the applicant in *CM APPL. 45370/2024*, who submits that the property in question, i.e., *1977/1, Railway Road, Narela, New Delhi-110040*, already stands razed to the ground and that the said property is no longer in existence.

8. He draws the attention of this Court to the photograph, attached with the said application, which is reproduced as under:



9. Accordingly, the MCD shall bring forth before this Court, the actual status of the property in question.
10. Let fresh Status Report be filed by the MCD, within a period of six weeks, from today.
11. Interim order to continue.
12. Re-notify on 29th April, 2026.

MINI PUSHKARNA, J

NOVEMBER 17, 2025/KR