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

+ **W.P.(C) 13086/2025 & CM APPL. 63342/2025**

DINESH BABU ALIAS DINESH BHARDWAJPetitioner
Through: Ms. Jyoti Gandhi, Adv. (Through
VC)

versus

GOVT. OF NCT OF DELHI AND ORS.Respondents
Through: Ms. Nitika Bhutani, Panel Counsel for
GNCTD
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Ms. Vidhi Jain and Ms. Namisha
Chadha, Advs. for MCD
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Mr. Chetanya Puri, SPC with Ms.
Heeba Ansari, Adv. for R-6/D.P.
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CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

% **ORDER**
09.10.2025

CM APPL. 63342/2025

1. The present application has been filed on behalf of respondent nos. 2 to 5, for modification of the order dated 27th August, 2025, passed in the present writ petition.
2. It is submitted that the present matter pertains to the plot measuring 125 square yards, *Khasra No. 435, I-Block, Bhagat Singh Park, Siraspur,*



Delhi-110042. It is submitted that on the basis of the submissions made and documents produced before this Court, the matter was disposed of by this Court, *vide* order dated 27th August, 2025.

3. However, this application has been filed on the ground that subsequently, it came to the knowledge that there was some inadvertent error, at the time of making submissions before this Court. Thus, the present application has been filed to bring on record the correct facts, pertaining to the action taken by the MCD, against the property in question.

4. It is submitted that as per record, the owner/builder of the property bearing *Khasra No. 455, Bhagat Singh Park, Siraspur, Pole No. 507-19 23/2/3*, in front of *Premwati Kunj, Plot No. 8-A, Delhi-110042*, had raised unauthorized construction comprising the entire ground floor and first floor, which was booked on 22nd April, 2025.

5. Consequently, a notice was issued under Sections 343 and 344 of the Delhi Municipal Corporation Act, 1957 (“DMC Act”) on 23rd April, 2025, wherein, date of personal hearing was fixed as 13th May, 2025.

6. Subsequently, Work Stop Notice dated 28th April, 2025 was also issued by the MCD to the concerned Station House Officer (“SHO”).

7. It is submitted that on 13th May, 2025, i.e., the date fixed for personal hearing, Shri Raman Chaudhary appeared for hearing and filed a reply to the Show Cause Notice. After affording personal hearing and considering the documents on record, a Demolition Order was passed on 03rd July, 2025, directing the demolition of the unauthorized construction.

8. Subsequently, since the owner/builder failed to demolish the unauthorized construction within the stipulated period, demotion action was undertaken on 19th August, 2025, by the MCD.



9. It is submitted that during the said demotion action one RCC slab panel was demolished, the reinforcement was cut with the help of a gas cutter and the same was rendered unusable.
10. Further, a letter for disconnecting the electricity and water supply/sewerage was also issued on 07th August, 2025.
11. Thus, it is submitted that the aforesaid correct facts of the case may be taken on record.
12. Issue notice. Notice is accepted by learned counsels appearing for the petitioner and respondent nos. 1 to 6.
13. Considering the submissions made before this Court, it is directed that the order dated 27th August, 2025, shall be modified to incorporate the aforesaid facts as brought forth, on behalf of respondent nos. 2 to 5.
14. It is further directed that in case, any further action is required to be taken by the MCD, the same shall be taken by the MCD, in accordance with law.
15. In case, any party is aggrieved by any action or non-action on the part of the MCD, their rights to seek their legal remedies, is reserved.
16. With the aforesaid clarification and modification, the present application is accordingly disposed of.

MINI PUSHKARNA, J

OCTOBER 9, 2025/SK