



2025:DHC:7886



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 09.09.2025**+ W.P.(C) 13768/2025, CM APPL. 56441/2025 & CM APPL.  
56442/2025

SH VIPUL AGGARWAL

.....Petitioner

Through: Ms. Vani Garg, Mr. Vaibhav Bharti,  
Advocates (M:9654647652)

versus

MUNICIPAL CORPORATION OF DELHI AND ORS.

.....Respondents

Through: Mr. Rohit Kathuria, Mr. Dhruv  
Varma, Advocates for R-1 and  
2/MCD (M:9717948948)**CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J. (ORAL)**

1. The present writ petition has been filed seeking directions to respondent nos. 1 and 2, not to take action for demolition and sealing of the property bearing no. 89, *South Anarkali Extension, Delhi-110051*.
2. Learned counsel for the petitioner submits that respondent no. 3 had earlier filed a writ petition before this Court, i.e., W.P.(C) 9734/2024, titled as "*Har Bhagwan Sharma Versus Municipal Corporation of Delhi & Ors.*", which was disposed of *vide* order dated 11<sup>th</sup> September, 2024. Thus, it is submitted that pursuant thereto, action has already been taken by the respondent nos. 1 and 2 – Municipal Corporation of Delhi ("MCD"), and the unauthorized construction in the property in question, has been demolished on three instances, on 11<sup>th</sup> August, 2025, 19<sup>th</sup> August, 2025 and 28<sup>th</sup> August,



2025.

3. Thus, it is submitted that necessary demolition action against the unauthorized construction in the property in question has already been taken by the MCD, however, further Vacation Notice dated 13<sup>th</sup> August, 2025 and a Show Cause Notice dated 14<sup>th</sup> August, 2025, have been served upon the petitioner.

4. It is submitted that no further construction is going on in the property in question. Thus, it is submitted that further action may not be taken against the property of the petitioner.

5. Learned counsel for the petitioner submits that the present writ petition has been filed on account of the fact that there is no Presiding Officer in the Appellant Tribunal MCD (“ATMCD”).

6. Responding to the present writ petition, learned counsel appearing for respondent nos. 1 and 2-MCD submits that there are deviations and excess coverage in the property in question, on account of which, action is being taken by the MCD.

7. At this stage, learned counsel for the petitioner submits that the petitioner is ready to demolish the non-compoundable deviations himself. She further submits that the petitioner intends to apply for regularization of the existing construction in the property in question.

8. Accordingly, considering the submissions made before this Court, liberty is granted to the petitioner to file an application for regularization of the existing structure in accordance with law. Let the needful be done within a period of two weeks, from today, along with the requisite documents, as per the requirement of the MCD.

9. Upon the petitioner applying for regularization, the same shall be



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considered by the MCD, in accordance with law, and requisite directions shall be issued to the petitioner to remove the non-compoundable deviations.

10. Upon the MCD being satisfied, and subject to the petitioner complying with all the directions issued by the MCD, the MCD shall proceed to pass appropriate order in the regularization application of the petitioner.

11. Upon the petitioner filing the regularization application with the MCD within a period of two weeks, from today, the said application shall be decided by the MCD expeditiously, preferably, within a period of four weeks, from the date of receipt of the regularization application.

12. In case the petitioner does not remove the non-compoundable deviations himself, the MCD shall be at liberty to take action accordingly.

13. No coercive action shall be taken against the property of the petitioner, for a period of two weeks, in order to enable the petitioner to file the requisite regularization application.

14. In case the application for regularization is filed by the petitioner within a period of two weeks, no coercive action against the property of the petitioner shall be taken during the pendency of the said regularization application.

15. With the aforesaid directions, the present petition, along with pending applications, is accordingly disposed of.

**MINI PUSHKARNA, J**

**SEPTEMBER 9, 2025/au**