



2026:DHC:5690



\$~39

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 13th July, 2026**

+ CONT.CAS(C) 343/2025

ISHRAT ADIL

.....Petitioner

Through: Mr. Amit Srivastava, Ms. Uzma,
Advocates (M:9318342967)

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Shivam Sachdeva, ASC-MCD
with Mr. Sparsh Ruhela, Mr. Yash
Agrawal, Mr. Amit Kumar, Ms.
Sanjana Chib, Advocates
(M:9971358035)
Mr. Mukul Singh, CGSC with Mr.
Aryan Dhaka, Advocate for DP
(M:9971359512)
Mr. Vikran Sharma, Advocate for R-4
(M:9810069880)
Mr. Tushar Sannu, Mr. Parvin Bansal,
Advocates for DDA**CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J (ORAL):**

1. The present contempt petition has been filed alleging non-compliance of the directions passed by the Division Bench of this Court in order dated 09th October, 2024, in *W.P.(C) 12805/2024*, titled as *Ishrat Aadil Versus Municipal Corporation of Delhi & Ors.*
2. The aforesaid order dated 09th October, 2024, passed by the Division



Bench of this Court, reads as under:

“C.M.No.59947/2024

1. Exemption allowed, subject to all just exceptions.
2. Accordingly, the application stands disposed of.

C.M.No.59944/2024

3. Present application has been filed by the petitioner/applicant seeking deletion of paragraph 3 of the order dated 12th September, 2024 wherein this Court had disposed of the underlying writ with a direction to the STF to dispose of the petitioner's representation dated 22nd July, 2024.

4. Learned counsel for the applicant states that the factum as mentioned in paragraph 3 of the order that the applicant/petitioner's property was adjoining the subject property and thereby respondent no.6 has encroached upon the applicant/petitioner's property as well by breaking the walls of the applicant/petitioner's property was mentioned at paragraph no.19 of ground D of the present writ petition inadvertently owing to a mistake on behalf of the applicant/petitioner's counsel.

5. He states that the applicant/petitioner had intended to submit that the respondent no. 5 had encroached upon property belonging to the DDA and not upon the applicant/petitioner's property. He submits that it was this statement of facts only that was brought to the attention of the STF vide the representation dated 22nd July, 2024.

6. He states that the error made in the petition was purely unintentional and without any mala fide intention.

7. Issue notice.

8. Mr. Abhinav Sharma, Advocate accepts notice on behalf of respondent no.1 and Mr. Mukul Singh, Advocate accepts notice on behalf of respondent nos. 2 & 4.

9. Keeping in view the aforesaid averments in the application, paragraph 3 of the order dated 12th September, 2024 is deleted and the order dated 12th September, 2024 shall now read as under:-

“W.P.(C) 12805/2024 & CM APPLs. 53391-53392/2024
ISHRAT AADILPetitioner



Through: Mr. Amit Srivastava, Advocate
with Ms. Uzma Quraishi, Mr.
Jamshed Alam and Mr. Manish
Panchal, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondents

Through: Mr. Mukul Singh, CGSC with
Ms. Ira Singh, Advocate for
respondents No.2 and 4.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% 12.09.2024

1. Present public interest petition has been filed seeking directions to the respondents to demolish the purported illegal and unauthorised construction allegedly raised by the respondent No.6 at the property bearing no. XV/3551, Dariba Pan, Pahar Ganj, Delhi-110055, ad measuring approximately 80 sq. yards.
2. Learned counsel for the petitioner states that the subject property belongs to DDA, upon which the respondent No.6 has encroached and commenced construction without obtaining any sanction plan or necessary approvals. He further states that the construction is being carried out by using substandard materials and the structure also poses a risk to the neighbours.
3. He further states that the petitioner has raised his grievance with the respondent authorities by filing a representation dated 22nd July, 2024, but no action has been taken on the same. He contends that the respondent authorities are acting in collusion with respondent No.6 by protecting him and taking no action against the said illegal construction.
4. Learned counsel for STF, who appears on advance notice, states that the petitioner's representation is under consideration.
5. Keeping in view the aforesaid, present writ petition and applications are disposed of with a direction to the STF to decide the petitioner's representation dated 22nd July, 2024 in accordance with law as expeditiously as possible. If any



2026:DHC:5690



action is required to be taken in pursuance to the said decision, the same shall also be taken expeditiously.

6. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

SEPTEMBER 12, 2024

Js”

10. Accordingly, the application stands disposed of.”

3. Perusal of the aforesaid order shows the learned Division Bench directed that the representation dated 22nd July, 2024, submitted by the petitioner be decided by the Special Task Force (“STF”) expeditiously and in accordance with law.

4. Learned counsel for the respondent-Municipal Corporation of Delhi (“MCD”) submits that pursuant to the aforesaid representation, requisite action has been taken by the respondent-MCD, and that the property *no. 3551/XV, Fariba Pan Paharganj, Delhi-110055*, was booked for unauthorized construction from ground floor to 4th floor. He further submits that actions have been taken on behalf of the MCD, time and again, against the said property. The Status Report dated 03rd July, 2025, filed on behalf of the MCD, reads as under:

“xxx xxx xxx

That as per record, a letter no. D-125/EEC-10/DUSIB/2024-2025 dated 19.07.2024 with regard to complaint in respect of unauthorized construction at property no. 3551/XV, Dariba Pan, Paharganj, AC-23, Karol Bagh had been received from



DUSIB, Govt. of NCT of Delhi. The DUSIB vide letter dated 19.07.2024 had requested to initiate appropriate action under the provisions of DMC Act, 1957 against the unauthorized construction being carried in the abovesaid property which was under the Management and Control of DUSIB. Copy of the letter dated 19.07.2024 received from DUSIB is annexed herewith as **Annexure-A**.

4. That appropriate action against the unauthorized construction carried in the property no. 3551/XV, Dariba Pan, Paharganj, Delhi-110055 had been initiated u/s 344 (1) and 343 of the DMC Act, 1957 and the property was booked for “unauthorized construction in the shape of entire ground floor, first floor, second floor, third floor and fourth floor” vide unauthorized construction file no. 200/C-82/B/UC/KBZ/24 dated 29.08.2024 and a show cause notice issued to owner/builder. No reply to the show cause notice dated 29.08.2024 was received. Accordingly, an Order of Demolition of Building u/s 343 of the DMC Act, 1957 had been passed vide unauthorized construction file no. 200/C-82/B/UC/KBZ/24 dated 09.09.2024. Copy of the demolition order dated 09.09.2024 is annexed herewith as **Annexure-B**.
5. That a demolition programme against the unauthorized construction had been fixed on 25.09.2024 and 09.10.2024 but action could not be taken on the said dates due to shortage of time and non availability of police force from P.S. Paharganj respectively.



6. That further demolition programme had been fixed on 22.10.2024 and demolition action taken with the help of police force P.S. Paharganj and demolition squad. The demolition action was done by demolishing two slab roof panel at fourth floor roof, constructed with Red Sand Stone And T-Iron. The photographs taken during demolition action on 22.10.2024 are annexed herewith as **Annexure-C**.
7. That further demolition action had been fixed on 13.11.2024 but action could not be taken due to shortage of time.
8. That a vacation notice u/s 349 of the DMC Act, 1957 vide no. D/AE(B)/KBZ/2025/1447 dated 30.06.2025 has been issued to owner/occupier to vacate the premises property no. 3551/XV, Dariba Pan, Paharganj, Delhi-110055 so that demolition action against the unauthorized construction existing in the property could be taken. Further action shall be taken in due course of time as per law. Copy of the vacation notice dated 30.06.2025 is annexed herewith as **Annexure-D**.

5. Subsequently, another Status Report dated 09th April, 2026 has been filed on behalf of the MCD, relevant portions of which, read as under:

“xxx xxx xxx

3. That in continuation of earlier report submitted before the Hon'ble Court in the present matter, it is submitted that in pursuance of the letter dated 19.07.2024 received from the DUSIB appropriate action against the unauthorized construction carried in the property no. 3551/XV, Dariba Pan,



Paharganj, Delhi-110055 had been initiated u/s 344 (1) and 343 of the DMC Act, 1957 and the property was booked for “unauthorized construction in the shape of entire ground floor, first floor, second floor, third floor and fourth floor” vide unauthorized construction file no. 200/C-82/B/UC/KBZ/24 dated 29.08.2024 and an Order of Demolition of Building u/s 343 of the DMC Act, 1957 had been passed vide unauthorized construction file no. 200/C-82/B/UC/KBZ/24 dated 09.09.2024.

4. That a demolition programme against the unauthorized construction had been fixed on 25.09.2024 and 09.10.2024 but action could not be taken on the said dates due to shortage of time and non availability of police force from P.S. Paharganj respectively.
5. That further demolition programme had been fixed on 22.10.2024 and demolition action taken with the help of police force P.S. Paharganj and demolition squad. The demolition action was done by demolishing two slab roof panel at fourth floor roof, constructed with Red Sand Stone And T-Iron. Further demolition action had been fixed on 13.11.2024 but action could not be taken due to shortage of time.
6. That a vacation notice u/s 349 of the DMC Act, 1957 vide no. D/AE(B)/KBZ/2025/1447 dated 30.06.2025 has been issued to owner/occupier to vacate the premises property no. 3551/XV, Dariba Pan, Paharganj, Delhi-110055 so that demolition action



against the unauthorized construction existing in the property could be taken.

7. That another vacation notice u/s 349 of the DMC Act, 1957 vide no. D/AE(B)/KBZ/2026/692 dated 01.04.2026 has been issued to owner/occupier to vacate the premises property no. 3551/XV, Dariba Pan, Paharganj, Delhi-110055. Copy of the vacation notice dated 01.04.2026 is annexed herewith as **Annexure-A**.

8. That a demolition programme against the unauthorized construction existing in the property had been fixed on 01.04.2026 but action could not be taken due to shortage of time. Another Demolition programme had been fixed for 07.04.2026 and demolition action taken in the shape of demolishing two RCC slab panels at fourth floor roof of property and reinforcement has been cut of the said two panels with the help gas cutter. Photographs of the property taken during demolition action on 01.04.2026 are annexed herewith as **Annexure-B** (colly). Further action shall be taken in due course of time as per law.

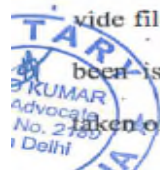
6. Further, a Status Report dated 10th April, 2026, also stands filed on behalf of STF, relevant portions of which, are reproduced as under:

“xxx xxx xxx

4. That it is submitted that the writ petition in the matter was received in STF and forwarded to the concerned Nodal Officer of MCD (North) vide Ref. ID - SNS2024073125P for examination and necessary action. The copy of latest STF web page status for Ref. ID - SNS2024073125P is annexed herewith as **Annexure R-A**.

5. That it is submitted that as per the Action Taken Report (ATR) submitted by MCD on the STF web portal under Ref. ID - SNS2024073125P on 25.07.2025, it is mentioned that action has been initiated u/s under Section 344(1) and 343 of the DMC Act

vide file no. 200/C-82/B/UC/KB2/24 and a show cause notice has been issued dated 29.08.2024. Subsequently, Demolition action taken on 22.10.2024 and demolished two slab panels at fourth floor





roof constructed with red sand stone and T-Iron frame and further action shall be taken as per law with due course of time. A copy of Action Taken Report (ATR) uploaded by MCD on 25.07.2025 on STF web portal is annexed herewith as **Annexure R-B**.

6. That the Hon'ble High Court matter was in discussion in STF meetings and was discussed in the 148th STF meeting held on 25.07.2025. A copy of the relevant part of the minutes of the 148th STF meeting held on 25.07.2025 is annexed herewith as **Annexure R-C**.

7. That it is submitted that the present contempt petition was received in STF and forwarded to the concerned Nodal Officer of MCD (North) vide Ref. ID - SNS2025030588P for examination and necessary action. The copy of latest STF web page status for Ref. ID - SNS2025030588P is annexed herewith as **Annexure R-D**.

8. That it is submitted that as per the Action Taken Report (ATR) submitted by MCD on the STF web portal under Ref. ID - SNS2024073125P on 19.02.2026, it is mentioned that Demolition action taken on 22.10.2024 and rest of the property was found occupied and vacation notice vide no. D/AE(B)/KBZ/2025/1447 dated 30.06.2025 was issued. Further action will be taken as per

TAR
P. KUMAR
Advocate
No. 2189



law. A copy of Action Taken Report (ATR) uploaded by MCD on 19.02.2026 on STF web portal is annexed herewith as **Annexure R-E**.

9. That it is submitted that the contempt matter is in discussion in STF meetings and was discussed in the latest 159th STF meeting held on 06.04.2026. A copy of the relevant part of the minutes of the 159th STF meeting held on 06.04.2026 is annexed herewith as **Annexure R-F**.

10. That the deponent is ready and willing to abide by any further order(s)/direction(s) issued by this Hon'ble Court considering the facts and circumstances of the present case.

Pradeep

7. Perusal of the aforesaid Status Reports clearly show that compliance of the order dated 09th October, 2024, passed by the Division Bench, has duly been done by the respondents. Further, the respondents are taking appropriate action against the unauthorized construction existing in the said property.

8. At this stage, this Court is informed that respondent no. 4 has filed an appeal before the Appellate Tribunal MCD ("ATMCD"), against the Demolition order dated 09th September, 2024, passed by the MCD, and that the said appeal is pending, before the ATMCD.

9. Learned counsel for respondent no. 4 further submits that the petitioner herein is a habitual litigant, and has filed at least 08 petitions against 08 different properties, even though he has no *locus* to file the same.

10. Be that as it may, the MCD is directed to ensure that the unauthorized



2026:DHC:5690



construction in the property in question, is removed completely, subject to the outcome of the appeal, filed before the ATMCD.

11. Noting the aforesaid, the present petition is accordingly, disposed of.

**MINI PUSHKARNA
(JUDGE)**

JULY 13, 2026/au