



2025:DHC:9109



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 13th October, 2025**

+ W.P.(C) 10595/2024

DELHI KI GALIYAN NGO

.....Petitioner

Through: Mr. Akbar Ali, President of petitioner
M: 9871753490
Email: akbarali1498@gmail.com

versus

DEPUTY COMMISSIONER & ORS.Respondents

Through: Mr. Shabbir Ali, Adv. for R-5
Mr. Kushagra Kumar, Adv. for Delhi
Police (Through VC)
SI Nitin, PS Jamia Nagar
Ms. Rachita Garg and Mr. Agam
Rajput, Advs. for GNCTD/SHO
(Through VC)
Mr. Saurabh Goel, Advocate on
behalf of Mr. Hirein Sharma, SC for
MCD

CORAM:**HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J (ORAL)**

1. The present writ petition has been filed seeking directions to the respondent nos. 1 to 4, to demolish the illegal and unauthorized construction at the property bearing *No. E-141 (Old), 101-B (New) Street No. 21, Part of Khasra No. 175, measuring 100 Sq. yds., situated at Zakir Nagar, Jamia Nagar, Okhla, New Delhi-110025.*
2. Today, Mr. Akbar Ali, President of the petitioner-Non-Governmental Organization ("NGO") is present in the Court in person, and submits that he

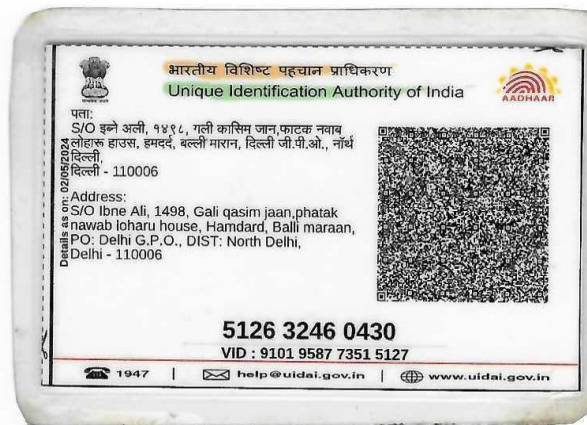
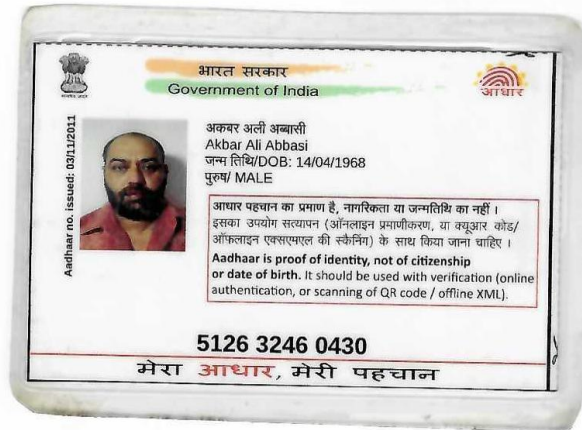


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is the President of the Delhi Ki Galiyan NGO, i.e., the petitioner, and that he has not authorized anyone to file the present petition.

3. Mr. Akbar Ali, who submits that he is the President of the petitioner has also given his Aadhar Card, which is reproduced as under:



4. He has further handed over a copy of the governing body of the petitioner-NGO, as per which, there is no person named 'Farid Ali' as a member of the petitioner-NGO. The document, as handed over by Mr. Akbar Ali, President of the petitioner-NGO, is taken on record.

5. He has further handed over to this Court a public notice, to submit that the letter head of the petitioner-NGO was stolen, and used



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unauthorizedly by Mr. Farid Ali, son of Late Sattar Ali, who has deposed in the present writ petition.

6. The public notice as handed over to this Court, and as stated to have been published in The Indian Express (English Newspaper) and *Jan Satta* (Hindi Newspaper) on 11th September, 2025, is reproduced as under:

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PUBLIC NOTICE

The General Public is hereby informed that my client Mr. Akbar Ali S/o Ibne Ali Office at: 1498, Gali Qasimjan, Phatak Nawab Loharu House, Delhi is the President of Delhi Ki Galiyan, that the person namely Farid Ali s/o Sattar Ali R/o H. No. 5267, Kucha Rehman, Chandni Chowk, Delhi-110006 has stolen the letter head of my client, which is in the name and style of "Delhi Ki Galiyan", and same has been misused by the above named person by printing a false and fabricated complaint against builder namely Khateeb Khan S/o Late Haseem Khan @ Cheena Khan R/o H. No. 760, Gali No. 21, Zakir Nagar, Okhla, New Delhi-110025 and my client has nothing to do with the same so the letter head used by the above named person is forged and fabricated document, which is not concerned with my client and the said NGO and my client has nothing to do with the same. Even my client had not filed any Writ Petition before the Hon'ble High Court of Delhi in the name of the said NGO and the same has been filed by the above named person namely Farid Ali, which shall be treated as null and void and further anybody is dealing with this person is himself responsible for the same and NGO of my client shall not be responsible for any misuse done by the above named person.

Sd/-
Muddassir Daiyyan
Advocate
Ch. No. P-33, Post Office Lane,
Tis Hazari Courts, Delhi-54

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7. Mr. Akbar Ali, has also handed over a copy of a complaint with regard to the same.

8. All the documents as handed over by Mr. Akbar Ali, the President of



the petitioner NGO, are taken on record.

9. Mr. Akbar Ali, President of the petitioner NGO submits that since he had not given any instruction to file the present writ petition, the present writ petition may be disposed of, as withdrawn.

10. It is to be noted that none appears for the petitioner, who has filed the present writ petition, when the matter is called out.

11. At this stage, learned counsel appearing for the respondent-Municipal Corporation of Delhi (“MCD”), submits that action with regard to the property in question has already been taken and he draws the attention of this Court to the Status Report dated 10th October, 2025, filed on behalf of the MCD, wherein, it is clearly stated that requisite action against the property in question, has already been taken. The property in question has been sealed, and further action is now fixed for 29th October, 2025.

12. The relevant portions of the said Status Report, filed on behalf of the MCD, reads as under:

“xxx xxx xxx

3. That, answering respondent in the earlier filed status report/
affidavits detailed out about the actions initiated/ taken by

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the department concerning the unauthorized construction at subject property. The contents of the same are not repeated herein for the sake of brevity.

4. That, further action against subject property was planned for 26.09.2024, but the same could not be executed due to shortage of time, as action on the said date was started from Property No. 353, Gali No. 22, Zakir Nagar, New Delhi involved in W. P. (C) No. 12428/2019 titled as “*Soaib Vs South Delhi Municipal Corporation*” through the Commissioner & Ors and time left after the said action was not sufficient to take action against subject property.



5. That, further action against subject property was planned for 01.10.2024. Upon reaching at site along with police force, it was noticed by the concerned field staff that in-spite of issuance of watch & ward letter dated 02.09.2024 to the SHO, PS Jamia Nagar the Owner/ Builder of the property has tampered with the seals affixed by the department on 02.09.2024. However, during the action, 03 number of RCC roof panels were demolished at roof of second floor and reinforcement of these panels were also cut with the help of gas cutter. After taking demolition action, entire property was re-sealed at main entrance on stilt floor at 01 point.

Photographs showing the sealing and demolition action taken by the department on 01.10.2024 are annexed herewith as

Annexure: A (Colly).

6. That, pursuant to demolition and sealing action taken on 01.10.2024, a watch & ward letter bearing No. D/91/AE(B)-II/CNZ/2024 dated 04.10.2024 has also been sent to the

SHO, PS Jamia Nagar with the request to keep strict vigil over subject property, so that Owner/ Builder may not restore/ reconstruct the demolished portion of the subject property nor tamper with the seals affixed by MCD. Copy of watch & ward letter dated 04.10.2024 is annexed herewith as

Annexure: B.



7. That, on the instance of the seal tampering as noticed during action taken on 01.10.2024, the necessary prosecution action has already been initiated and pursuant to the same a letter dated 11.10.2024 has also been sent to the SHO, PS Jamia Nagar with the request to lodge an FIR and take necessary action against the violators/ responsible persons under the relevant sections of BNS Act. Copy of letter dated 11.10.2024 is annexed herewith as **Annexure: C (Colly.)**.

8. That, further action against subject property has been taken on 10.07.2025. During the action, upon availability of Police Force, 02 RCC panels at fourth floor roof were demolished and reinforcement of these panels were also cut down with the help of gas cutter. After demolition action, entire fourth floor was sealed at two points. Action against rest of the property could not be taken as the same was found residentially occupied. Photographs showing the demolition and sealing action, as taken by the department on 10.07.2025 are annexed herewith as **Annexure: D**.

9. That pursuant to action 10.07.2025, a watch & ward letter bearing No. D/218/AE(B)-II/CNZ/2025 dated 11.07.2025 has also been sent to the SHO, PS Jamia Nagar with the

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Owner/ Builder may not be able to restore/ reconstruct the demolished portion of the subject property or tamper with the seals affixed by MCD. Copy of watch & ward letter dated 11.07.2025 is annexed herewith as **Annexure: E.**

10. That, further it is also pointed out that during the action on 10.07.2025, seals affixed by the department at this property on 01.10.2024 were found tampered with, accordingly the matter has been referred to higher authorities for the filing of a complaint with PS Jamia Nagar regarding the tampering of these seals.
11. That, pursuant to sealing order already stand passed, further action against subject property was planned for 08.10.2025. During the action, upon availability of Police Force, entire third floor was sealed at two points. Photographs showing the sealing action as taken by the department on 08.10.2025 are annexed herewith as **Annexure: F (Colly).**
12. That, after taking aforesaid sealing action, a letter bearing No. D/193/AE(B)-I/CNZ/2025 dated 08.10.2025 has been sent to the SHO, PS Jamia Nagar with the request to keep strict vigil over the subject property, so that Owner/ Builder may not be able to tamper with the seals affixed by the department. Copy of watch & ward letter as issued in this regard is annexed herewith as **Annexure: G.**
13. That, further action against subject property has been planned for 29.10.2025 and same will be taken upon availability of Police Force.

xxx xxx xxx”



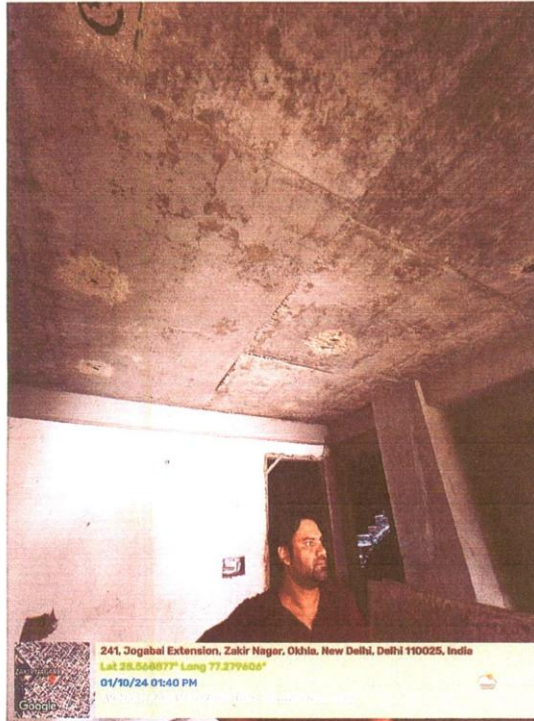
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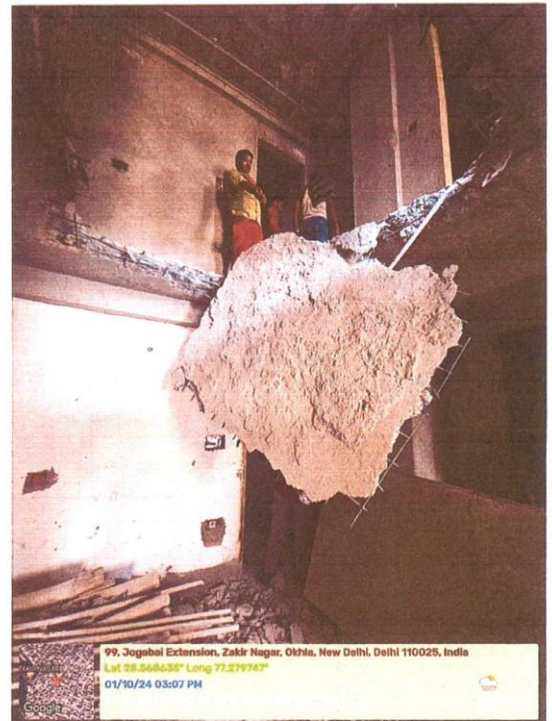
13. Two of the total photographs, as attached by the MCD, are reproduced as under:

Adjoining-13(as per court case E-141(old) 101B(new), street no. 21, Zakir nagar

Panel No. 1 at Second Floor Roof slab



Before Demolition



After Demolition

14. This Court notes that the affidavit in the present matter has been deposed by Farid Ali, son of Late Sattar Ali, who as per the complaint of Mr. Akbar Ali, is stated to be a resident of *House No. 5267, Kucha Rehman, Chandni Chowk, Delhi-110006*.

15. This Court takes note of the submission made by Mr. Akbar Ali, the President of the petitioner-NGO that the present writ petition has been filed unauthorizedly, without any authority from the said NGO. This is a very serious matter, and a case of deception and fraud being played upon this



Court.

16. Accordingly, the Deputy Commissioner of Police (“DCP”), Central District, is directed to investigate the matter, and take appropriate action against the aforesaid Farid Ali, in accordance with law.

17. Clearly when an unauthorized person files a petition of this nature for taking action against unauthorized construction, the said conduct is not only deceitful, but also misuse and abuse of the process of law. Courts discharge a very critical function of dispensing justice when citizens and other bodies approach this Court for seeking relief when they are aggrieved by various actions of private individuals or statutory bodies. Thus, when such solemn process of the court is misused by parties for their personal and unlawful gains and with ulterior and covert motives, the Courts have to come down heavily on such unscrupulous persons. In the present case, filing of a petition by using name of an NGO, when the deponent has no concern with such NGO and has not been authorized by such NGO to file any petition in its name, is a gross misdeed and malpractice, which cannot be condoned or let off in a light manner.

18. Accordingly, considering the submissions made before this Court, cost of Rs. 50,000/- is imposed upon Mr. Farid Ali, son of Late Sattar Ali, resident of *House No. 5267, Kucha Rehman, Chandni Chowk, Delhi-110006*.

19. The aforesaid cost of Rs. 50,000/- shall be payable by the aforesaid Farid Ali, to “DHC Bar Clerk Association”, within a period of six weeks, from today.

20. The DCP, Central District shall ensure that the aforesaid amount is duly paid by the aforesaid Farid Ali, in terms of the directions issued by this



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Court.

21. In case, the aforesaid Farid Ali, who has deposed the present writ petition, does not deposit the costs as imposed by this Court within a period of six weeks, the present matter shall be listed before the Registrar of this Court after a period of six weeks, for compliance.

22. Accordingly, noting the aforesaid, the present writ petition is disposed of.

MINI PUSHKARNA, J

OCTOBER 13, 2025/KR