



2025:DHC:9160



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 13th October, 2025**+ W.P.(C) 15697/2025, CM APPL. 64207/2025 & CM APPL.
64208/2025

ASHOK KUMAR

.....Petitioner

Through: Mr. Manoj Singh, Adv. (Through
VC)

Mob: 9811464534

versus

THE COMMISSIONER MCD & ANR.

.....Respondents

Through: Ms. Shilpa Ohri, ASC for R-1

Mob: 9871900539

Email: shilpakapoorohri@gmail.com**CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J. (Oral):**

1. The present writ petition has been filed on behalf of the petitioner seeking to set aside/quash the Show Cause Notice dated 12th September, 2025, issued by the Municipal Corporation of Delhi ("MCD"), under Section 344(1) and 343 of the Delhi Municipal Corporation Act, 1957 ("DMC Act"). The said Show Cause Notice has been issued by the MCD in respect of the ground and first floors of the property being part of *Plot No. 6 (back side), Gali No. 1, Village Dabri, New Delhi*.

2. Learned counsel appearing for the petitioner submits that the



petitioner is not carrying out any unauthorized construction, and is only carrying out repair/renovation work, in order to make the property in question habitable. He submits that the property in question is old, and that the built-up house was constructed more than 75 years ago.

3. He, thus, submits that there is no fresh construction going on, and only repair work is being carried out, which cannot be said to be unauthorized.

4. Responding to the present petition, learned counsel appearing for the respondent-MCD submits that only the Show Cause Notice has been issued at this stage, and that the petitioner would be heard before any order is passed by the MCD. She submits that the next date before the concerned official of the MCD is 15th October, 2025, when hearing shall be granted to the petitioner.

5. This Court further notes the submission made by learned counsel appearing for the MCD that the petitioner has already responded to the Show Cause Notice dated 12th September, 2025, by letter dated 29th September, 2025, wherein, they have requested for further time to file their reply, and also requested for hearing. Pursuant thereto, hearing has been fixed for 15th October, 2025, *vide* letter dated 09th October, 2025, issued on behalf of the MCD.

6. Short synopsis of the case, along with the documents as handed over by learned counsel appearing for the MCD, are taken on record.

7. Accordingly, it is directed that the petitioner shall be given due opportunity of being heard.

8. In case, any documents are required, the petitioner shall be granted



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liberty to produce such documents, at the time of hearing.

9. Needless to state, in case, the petitioner is aggrieved by any subsequent order that may be passed by the MCD, after hearing the petitioner, the petitioner shall be at liberty, to seek his remedies, in accordance with law.

10. Noting the aforesaid, the present writ petition, along with the pending applications, is accordingly disposed of.

MINI PUSHKARNA, J

OCTOBER 13, 2025/SK