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

% **Date of Decision: 14th October, 2025**

+ W.P.(C) 15723/2025, CM APPL. 64391/2025 & CM APPL.
64392/2025

SMT GEETA

.....Petitioner

Through: Ms. Chanchala Sharma and Ms.
Kavita Krishnia, Advs. (Through VC)
Mob: 8766235144
Email: kavitakrishnia4@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Sanjeev Sabharwal, SC for MCD
with Ms. Shweta Singh, Advocates
Mob: 9810031680
Email: solicitor6@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (Oral):

1. The present petition has been filed on behalf of the petitioner seeking directions to the respondent-Municipal Corporation of Delhi ("MCD"), not to take any coercive action, including, any demolition in respect of the petitioner's property bearing No. 2486, Gali No. 12, Bihari Colony, Shahdara, Delhi, till the application/appeal of the petitioner pending before the Appellate Tribunal Municipal Corporation of Delhi ("ATMCD"), is heard.
2. Learned counsel appearing for the petitioner submits that respondent-MCD had issued a Show Cause Notice and a Demolition Order in respect of



the property in question, in the year 2022. Being aggrieved by the same, the petitioner had preferred a statutory appeal before the ATMCD, registered as *Appeal No. 90/2024*. It is submitted that interim protection was granted on 26th February, 2024. However, the interim stay was vacated on 01st May, 2025, since there was no appearance on behalf of the petitioner and her counsel.

3. It is submitted that the petitioner could not attend the proceedings as her son was hospitalized, and the counsel had been engaged in Bar elections, so was unable to remain present. Thus, it is submitted that the lapse was neither intentional, nor deliberate and the appeal itself continues to remain pending.

4. It is further submitted that an application for recall/review is pending before the ATMCD, which was listed on 26th September, 2025. However, since there was no Presiding Officer in the ATMCD, the next date has been given and the matter is now listed in December, 2025.

5. It is further submitted that the petitioner has already filed a joint application for regularization dated 26th September, 2025. Thus, the present petition has been filed to seek interim protection to the petitioner, till hearing of the application/appeal by the ATMCD.

6. Responding to the present application, learned counsel appearing for the respondent-MCD submits that the Presiding Officer of the ATMCD has resumed charge since yesterday, i.e., 13th October, 2025.

7. Accordingly, considering the fact that the Presiding Officer of the ATMCD has already resumed charge, it is directed that the petitioner shall approach the ATMCD and file an application within a period of two weeks, from today, with prayer to take up the recall/review application and the



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appeal.

8. Considering the aforesaid directions and the facts and circumstances of the present case, it is directed that no coercive action shall be taken against the property of the petitioner, till the application/appeal of the petitioner herein, is heard by the ATMCD.

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

MINI PUSHKARNA, J

OCTOBER 14, 2025/SK