



2025:DHC:9298



\$~78

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

% **Date of Decision: 16th October, 2025**

+ W.P.(C) 8103/2025, CM APPL. 65683/2025, CM APPL. 65684/2025
& CM APPL. 65692/2025

SH. KULDEEP SINGH

.....Petitioner

Through: None.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS.

.....Respondents

Through: Mr. Prashant Varma, SCGC, UOI
with Ms. Richu, Advocate for R-2/DP
Mob: 9818076828

Email: prashantvarma@gmail.com

Mr. Arjun Mahajan, SC for DDA
with Mr. Apoorv Upmanyu and Mr.
Harsh Vashisht, Advocates

Mr. Vanshul Pali, Panel Counsel for
MCD with Ms. Ayushika Mishra,
Advocates

Mob: 9711552649

Email: vpassociates13@gmail.com

Mr. Umesh, Ms. Sunita Yadav and
Ms. Kirti, Advocates for R-4 along
with respondent no. 4

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (ORAL):

CM APPL. 65683/2025 & CM APPL. 65684/2025

1. The present applications have been filed on behalf of respondent no. 4



for early hearing of the present petition, as well as seeking stay on the operation of the Vacation Notice dated 06th October, 2025, and the Demolition Orders, passed by the Municipal Corporation of Delhi (“MCD”), in respect of the property of the petitioner, i.e., *House No. B-71/182, Near Badi Chaupal Chowk, Mahipalpur, New Delhi-110037*.

2. Learned counsel appearing for respondent no. 4 submits that the action of the MCD in passing Demolition Order and subsequent Vacation Notice, has been taken without issuance of any prior notice or affording any opportunity of hearing to the respondent no. 4, which is contrary to the Principles of Natural Justice.

3. It is submitted that the property is an old construction and that the respondent no. 4 was not carrying out any fresh construction in the property.

4. It is submitted that the respondent no. 4 has also filed an application for regularization with the MCD, which is pending with the MCD.

5. It is further submitted that an appeal was filed before the Appellate Tribunal MCD (“ATMCD”), which was listed on 10th October, 2025. However, since there was no Presiding Officer before the ATMCD on the said date, the appeal could not be heard and the appeal has been simply notified for 03rd November, 2025.

6. He, thus, submits that accordingly, interim protection be granted to the respondent no. 4, till hearing is granted before the ATMCD.

7. Issue notice. Notice is accepted by learned counsels appearing for respondent nos. 1 to 3.

8. Learned counsels appearing for the respondents submits that Presiding Officer has resumed charge in the ATMCD, since 13th October, 2025.

9. Having heard learned counsels appearing for the parties, considering



the fact that an appeal has been filed by the respondent no. 4 in the ATMCD, which could not be taken up for hearing on account of the fact that there was no Presiding Officer at the time of filing of the said appeal, it is directed that no coercive action shall be taken against the property of respondent no. 4, till the next date of hearing, before the ATMCD, i.e., 03rd November, 2025.

10. It is clarified that this Court has not expressed any opinion on the merits of the case, which shall be decided by the ATMCD.

11. Rights and contentions of all the parties are left open.

12. Needless to state, no further construction shall be carried out by respondent no. 4, in the meanwhile.

13. With the aforesaid directions, the present applications are accordingly disposed of.

MINI PUSHKARNA, J

OCTOBER 16, 2025/SK