



2026:DHC:5736



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

% **Date of Decision: 17th July, 2026**

+ W.P.(C) 6920/2025 & REVIEW PET. 637/2025

PANKAJ JAIN

.....Petitioner

Through: Mr. Samman Vardhan Gautam,
Advocate with Ms. Khushi Sharma,
Mr. Priyam Tiwari and Ms. Aroma
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Versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Mukesh Gupta, SC for MCD with
Mr. Raghav Gupta, Ms. Madhu
Yadav, Ms. Sneha Roy, Ms. Gurleen
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Kunal Malhotra, Ms. Aanchal
Khanna, Mr. Harsh Vardhan, Mr.
Akash Gahlot, Mr. Abhishek Singh



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and Ms. Ridhi Khanna, Advs. for R-4
& 5
Mob: 9355333316

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

REVIEW PET. 637/2025

1. The present review petition has been filed for review of the order dated 15th October, 2025, passed in the present proceedings.
2. Learned counsel appearing for the review petitioner submits that *qua* property no. 16/867, *Joshi Road, Karol Bagh, New Delhi-110005*, a Demolition Order dated 07th May, 2026, has been issued by the Office of the Assistant Engineer (Building), Karol Bagh Zone, New Delhi.
3. He has handed over a copy of the said Demolition Order dated 07th May, 2026, and the same is taken on record.
4. Learned counsel appearing for the review petitioner further submits that he is satisfied with the action taken by the Municipal Corporation of Delhi ("MCD") *qua* the said property.
5. The aforesaid statement is taken note of.
6. *Qua* property bearing no. 16/866, *Joshi Road, Karol Bagh, New Delhi-110005*, this Court notes that a Status Report has been filed on behalf of the MCD, before this Court, relevant portions of which, read as under:



“xxx xxx xxx

5. That a letter no. D/AE(B)/KBZ/2025/2152 dated 23.09.2025 had been sent to Owner/Occupier of the Property No. 16/866, Joshi Road, Karol Bagh, New Delhi-110005 to provide the relevant documents in respect of property which can prove that the construction raised/existing is protect under National Capital Territory Delhi Laws (Special Provisions) Act. In response thereto a reply dated 08.10.2025 had been received. However, the owner/occupier of the property had failed to prove that the existing construction in the property as on date was in existence prior to 2007 or construction has been raised after obtaining a valid Sanction Building Plan.
6. That, accordingly, the Property No. 16/866, Joshi Road, Karol Bagh, New Delhi-110005 has been booked vide file No. 209/C-83/B/UC/KBZ/25 dated 09.10.2025 u/s 343 & 344 (1) of the DMC 1957 *“for unauthorized construction in the shape of entire Ground Floor and entire First Floor with projection on Govt. Land”* and a show cause notice issued to Owner/Occupier/Ms. Manju Khanna. In response to the show cause notice dated 09.10.2025, reply had been received from Ms. Manju Khanna and requested for personal hearing in the present matter. The matter is under hearing and further action shall be taken in due course of time, as per law.

xxx xxx xxx”

7. Reading of the aforesaid Status Report makes it apparent that a Show Cause Notice with regard to unauthorised construction in property bearing no. 16/866, Joshi Road, Karol Bagh, New Delhi-110005, already stands issued by the MCD and personal hearing is being given in that regard to the owner/occupier of the said property.



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8. This Court notes the statement made by learned Senior Counsel appearing for respondent nos. 4 and 5 that the hearing *qua* the said property is still going on before the MCD.

9. Learned counsel appearing for the MCD confirms the said fact.

10. At this stage, learned counsel appearing for the review petitioner has handed over to this Court a letter dated 13th May, 2026, issued by the Office of Assistant Engineer (Building), Karol Bagh Zone, New Delhi, to respondent nos. 4 and 5 with regard to extending cooperation for inspecting the property bearing no. 16/866, *Joshi Road, Karol Bagh, New Delhi-110005*. The said letter reads as under:

TIME BOUND HON'BLE HIGH COURT MATTER

MUNICIPAL CORPORATION OF DELHI
OFFICE OF THE ASSISTANT ENGINEER (BUILDING)
KAROL BAGH ZONE, NEW DELHI
"Nigam Bhawan, Anand Parbat"
D.B. Gupta Road, Karol Bagh
New Delhi-110005

No. D/AE(B)/KBZ/2026/ 1117 Dated : 13/5/2026

Mrs. Manju Khanna,
P. No. 16/866, Joshi Road,
Karol Bagh,
New Delhi - 110005

Rest of the Owner /Occupier,
P. No. 16/866, Joshi Road,
Karol Bagh,
New Delhi - 110005

Subject: For extending sincere cooperation, in getting the site inspected, ascertaining site position, on the basis of documents relied upon and put forth, as far as applicability of relief, in terms of the Moratorium viz. Delhi Laws (Special Provisions) Act

(Involving property bearing No. 16/866, Joshi Road, Karol Bagh, New Delhi)

Reference: File No. 209/C-83/B/UC/KBZ/25 dated 09/10/2025

Sir/Madam,

Please refer to the letter bearing No. D/AE(B)/KBZ/2026/1034 dated 07/05/2026 vis-à-vis your reply dated 11/05/2026. In this regard, it is to inform that the department acknowledges the documents relied upon and put forth at your end; however seeks your cooperation, so as to examine / cross check, the area disclosed or got assessed with Property Tax Department/ KBZ w.r.t. area existing at site. Hence, the department seeks your sincere cooperation to facilitate the site inspection, so that after doing the needful, a reasoned speaking order can accordingly be passed.



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In view of overleaf, the date of inspection is now rescheduled for 19/05/2026 at 11:30 AM. On eventuality of non cooperation, it will be presumed that you are unwilling to get the needful done, leaving the department with no option but to proceed with further course of action, as per DMC Act/ Law, on the basis of material available with it.

This be treated as last and final opportunity.


13/05/26
Assistant Engineer (Bldg)
Karol Bagh Zone, MCD

11. In response, learned Senior Counsel appearing for respondent nos. 4 and 5 submits that they are cooperating with the MCD and are duly attending the hearing before them. He further submits that, in case, any inspection is needed to be done by the MCD, they shall cooperate with the same.
12. In this regard, learned counsel appearing for the review petitioner submits that he is also satisfied with the action taken by the MCD, *qua* property bearing no. 16/866, *Joshi Road, Karol Bagh, New Delhi-110005*.
13. He further submits that the hearing being granted to respondent nos. 4 and 5 be concluded in a time-bound manner.
14. Needless to say, the MCD shall be bound to pass requisite orders, expeditiously, in accordance with law, after granting due hearing to respondent nos. 4 and 5 *qua* property bearing no. 16/866, *Joshi Road, Karol Bagh, New Delhi-110005*.
15. It is clarified that the issue of maintainability of the present review petition has not been looked into and the present order has been passed on the basis of the submissions made by the respective parties, before this Court.



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16. Noting the aforesaid, the present review petition is accordingly, disposed of.

MINI PUSHKARNA, J

JULY 17, 2026

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