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

% **Date of Decision: 19th September, 2025**

+ W.P.(C) 14583/2025 & CM APPL. 59834/2025, CM APPL. 59835/2025, CM APPL. 59836/2025, CM APPL. 59837/2025

SMT REENA SINGH

.....Petitioner

Through: Mr. R.P.S. Bhatti, Advocate
(M:9810568180)

versus

MUNICIPAL CORPORATION OF DELHI & ANR.Respondents

Through: Ms. Jagrati Singh, SC-MCD with Mr. Rajpal, Mr. Surender Kumar, Mr. Sanjay, Mr. Yuvan Bhatnagar, Ms. Mamtra Saha, Advocates
(M:9250208553)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J (ORAL):

1. The present writ petition has been filed against the demolition/vacation notice dated 05th June, 2025, issued by respondent no. 2 under Section 349 of the Delhi Municipal Corporation Act, 1957 ("DMC Act").
2. It is submitted that by way of the said vacation/demolition notice, Municipal Corporation of Delhi ("MCD") intends to carry out demolition in the ground floor and first floor of the property bearing *House No. E-100, First Floor, Gali No. 11, Shashi Garden, Mayur Vihar Phase-1, Delhi-110091*, stating the same to be unauthorized construction.
3. It is submitted that the said vacation/demolition notice dated 05th



June, 2025 has been issued in the name of Geeta, who is the previous owner of the property in question.

4. It is further submitted that, however, the petitioner came to know about the aforesaid vacation notice on 09th September, 2025, and thus, an appeal has been filed by the petitioner before the Appellate Tribunal MCD (“ATMCD”). However, at present, as there is no Presiding Officer in the ATMCD, the present writ petition has been filed.

5. Responding to the present writ petition, learned counsel for the MCD submits that, in the present case, demolition order was passed in May, 2025, and that the same had been passed after following the due process of law.

6. At this stage, learned counsel for the petitioner submits that the present petition has been filed only with a limited prayer that protection be granted to the petitioner till appeal of the petitioner is heard by the ATMCD.

7. This Court is informed that the appeal filed by the petitioner before the ATMCD, i.e., *Appeal No. 625/2025* is next listed on 08th October, 2025. It is clarified that, in case, there is no Presiding Officer in the ATMCD even by the next date of hearing, i.e., 08th October, 2025, the protection granted today, shall extend to any next date, which is given by the ATMCD.

8. It is further directed that whenever the Presiding Officer of the ATMCD takes charge, within two weeks thereafter, the petitioner herein shall move an application before the ATMCD for taking up his appeal for hearing.

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

10. The rights and contentions of all the parties are left open, to be



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decided in appropriate proceedings.

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

SEPTEMBER 19, 2025/au

MINI PUSHKARNA, J