



2025:DHC:8579



\$~88

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 24<sup>th</sup> September, 2025**+ **W.P.(C) 14849/2025 & CM APPL. 61110/2025****MOHD NASIR**

.....Petitioner

Through: Mr. Sarthak Ahuja and Ms. Sabika  
Ahmad, Advocates  
Mob: 9873300964

versus

**MUNICIPAL CORPORATION OF DELHI** .....Respondent

Through: Mr. Puneet Yadav, SC for MCD

Mob: 9999388384

Email:

[puneetyadavadvocate@gmail.com](mailto:puneetyadavadvocate@gmail.com)**CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J. (Oral)****CM APPL. 61110/2025 (For Exemption)**

1. Exemption allowed, subject to just exceptions.
2. Application is disposed of.

**W.P.(C) 14849/2025**

3. The present writ petition has been filed seeking directions to the respondent-Municipal Corporation of Delhi ("MCD"), to not take any coercive steps against the property of the petitioner bearing no. *S-84/5, Sarai Shaji, Shivalik Road, near C-84, Begumpur, Malviya Nagar, New Delhi-110017*, on the basis of the Demolition Order dated 09<sup>th</sup> September, 2025, till the petitioner's appeal is heard by the Appellate Tribunal MCD



(“ATMCD”).

4. Learned counsel appearing for the petitioner submits that the petitioner is the owner/occupier of the property in question.

5. It is submitted that the property of the petitioner has already been sealed by the MCD. It is submitted that the Sealing Order has already been challenged before the ATMCD, and the said appeal is pending.

6. It is further submitted that the Demolition Order dated 09<sup>th</sup> September, 2025, has also been passed by the MCD. However, since there is no Presiding Officer in the ATMCD currently, the petitioner has approached this Court seeking a limited protection, in order to protect the petitioner, till the appeal of the petitioner is heard by the ATMCD.

7. Issue notice. Notice is accepted by learned counsel appearing for the MCD, who submits that the requisite action for demolition has been passed, following the due procedure.

8. Responding to the same, learned counsel appearing for the petitioner submits that he has approached this Court only for a limited protection.

9. This Court is informed that the appeal filed by the petitioner before the ATMCD, i.e., *Appeal 517/2025*, is next listed on 17<sup>th</sup> October, 2025.

10. Considering the aforesaid, and in order to protect the petitioner till his appeal is heard by the ATMCD, it is hereby directed that no coercive actions shall be taken against the property of the petitioner till the next date of hearing before the ATMCD, i.e., 17<sup>th</sup> October, 2025.

11. It is clarified that, in case, there is no Presiding Officer in the ATMCD even by the next date of hearing, i.e., 17<sup>th</sup> October, 2025, the protection granted today, shall extend to any next date, which is given by the ATMCD.



2025:DHC:8579



12. 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.

13. The rights and contentions of all the parties are left open, to be decided in appropriate proceedings.

14. With the aforesaid directions, the present writ petition, along with pending application, is disposed of.

**MINI PUSHKARNA, J**

**SEPTEMBER 24, 2025**

ak