



2025:DHC:8737



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 25<sup>th</sup> September, 2025**+ **W.P.(C) 14893/2025 & CM APPL. 61243/2025****TAUFEEQUE AHMAD** .....Petitioner

Through: Mr. Shekhar Dasi, Md. Talha, Mr. Ayush Dassi, Mr. Divyansh Malhotra, Advocates (M:98711655327)

versus

**MUNICIPAL CORPORATION OF DELHI & ORS.**

.....Respondents

Through: Ms. Harita Mehta, Advocate for MCD (M:9999986600)

Mr. Tanveer Ahmed Ansari, Sr. Panel Counsel for R-3 (M:9717736267)

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

1. The present writ petition has been filed seeking directions to respondent no. 1, i.e., Municipal Corporation of Delhi ("MCD") to not take any further demolition action against the property of the petitioner, i.e., property bearing *No. A-16, part of Khasra No. 743/556/330, Shaheen Bagh, New Delhi-110025*, till the time, the Appellate Tribunal MCD ("ATMCD") is reconstituted, and the appeals of the petitioner bearing *Nos. 42/2025 and 43/2025*, before the ATMCD, are heard by the ATMCD.

2. Learned counsel for the petitioner has drawn the attention of this Court to the orders dated 23<sup>rd</sup> January, 2025, 21<sup>st</sup> February, 2025 and 02<sup>nd</sup> May, 2025, passed by the ATMCD, to submit that the interim application for stay, filed by the petitioner, before the ATMCD, could not be taken up, as the MCD filed its reply only on 02<sup>nd</sup> May, 2025 and the appeals were then



listed for 26<sup>th</sup> September, 2025 before the ATMCD.

3. It is submitted that currently, there is no Presiding Officer in the ATMCD. Thus, the present writ petition has been filed.

4. Learned counsel for the petitioner submits that the petitioner is not carrying out any further construction and shall not carry out any further construction in the property in question, during the pendency of the appeal before the ATMCD.

5. Learned counsel for the respondent no.1, i.e., MCD, appearing on advance notice, submits that the action against the property in question has already been taken on various dates viz. 11<sup>th</sup> December, 2024, 12<sup>th</sup> March, 2025, 29<sup>th</sup> May, 2025 and 21<sup>st</sup> August, 2025.

6. At this stage, learned counsel for the petitioner reiterates that he shall not undertake any further construction in the property in question.

7. Noting the aforesaid submissions made before this Court, the petitioner is directed not to undertake any unauthorized construction in the property in question.

8. *Status quo* with respect to the property in question shall be maintained by the petitioner.

9. In view of the aforesaid, interim protection is granted to the petitioner, and the MCD is directed not to take any further action against the property of the petitioner, till petitioner's interim application for stay, pending before the ATMCD, is heard by the ATMCD.

10. At this stage, learned counsel for the petitioner points out that the action that has been taken against the property of the petitioner, was on account of a writ petition, being *W.P.(C) 16653/2024*, filed by one Ms. Prabha, daughter of Mr. Ashok Narayan, resident of *House No. 316, Garhi Mendu, Maujpur, Delhi-110053*, who is the respondent no. 2 herein.



11. He draws the attention of this Court to the order dated 03<sup>rd</sup> December, 2024 passed by this Court in aforesaid petition being W.P.(C) 16653/2024, titled as “*Prabha Versus Municipal Corporation of Delhi & Ors.*”, to submit that the said petition was filed by Ms. Prabha and that the action against the property of the petitioner was taken on the basis of the aforesaid order, in which, the petitioner was not made a party. The order dated 03<sup>rd</sup> December, 2024, passed in W.P.(C) 16653/2024, titled as “*Prabha Versus Municipal Corporation of Delhi & Ors.*”, is reproduced as under:

**“1. The petitioner has approached this Court under Article 226 of the Constitution, complaining of alleged illegal construction in property No. A-16, Thokar No.6, Abul Fazal Enclave Part-2, Shaheen Bagh, adjoining Araabaik Restaurant, Khasra No. 353, 366, 367, 368 situated at Shaheen Bagh Okhla New Delhi-110025 [‘subject property’].**

*2. Learned counsel for the Municipal Corporation of Delhi [“MCD”], who appears on advance instructions, states that the subject property has been inspected on multiple occasions, and unauthorised construction has been found. As far as the basement to the second floor of the subject property are concerned. MCD has issued a show cause notice on 08.10.2024 and has passed a demolition order on 18.10.2024. On 02.12.2024, a show cause notice has also been issued for the third, fourth and fifth floors of the subject property. He states that the second show cause notice will be adjudicated upon consideration of the reply thereto, if any. Further consequential action in terms of the orders passed will be taken expeditiously in accordance with law, after lifting of the Graded Response Action Plan-IV restrictions, and subject to availability of police force.*

*3. In view of the aforesaid statement on behalf of learned counsel for the MCD, Mr. Pankaj Tiwari, learned counsel for the petitioner, does not seek any further orders in this writ petition, which stands disposed of, alongwith the pending application.*

*4. The rights and contentions of the owners/occupants of the subject property are expressly reserved. MCD is directed to take action strictly in accordance with law, and after complying with all statutory formalities, and bearing in mind the Supreme Court judgment dated 13.11.2024 in In Re: Directions in the matter of demolition of structures [W.P. (C) 295/2022 and connected matters].”*

*(Emphasis Supplied)*



12. Learned counsel for the petitioner draws the attention of this Court to the *Annexure-2*, attached with the present petition, which is the copy of the writ petition, i.e., *W.P.(C) 16653/2024*, filed by the said Ms. Prabha, against the petitioner, wherein, in Paras 2 and 3, following submissions have been made:

“xxx xxx xxx”

**2. That the petitioner is owner of the 80 sq yd of the PROPERTY BEARING NO. A-16, THOKAR No. 6, ABUL FAZAL ENCLAVE PART-2 SHAHEEN BAGH ADJOINING ARAABAIK RESTAURANT, KHASRA NO. 353, 366, 367, 368 SITUATED at SHAHEEN BAGH OKHLA NEW DELHI-110025 out of 200 sq yds and the respondent no. 3 many times requested to petitioner that the respondent wants to purchase the petitioner's plot but the petitioner always denied the same .copy of the property documents is annexed herewith as ANNEXURE-B.**

**3. That thereafter on dated 30.09.2024 , when the petitioner visited at her plot she came to know that the construction was going on her plot then the petitioner inquired to worker about who constructed the plot then the worker have said that the builder namely wajid khan constructing the plot thereafter petitioner called the police immediately but the police did not come, thereafter petitioner finally visited to the police station shaheen bagh but the police official did not take any legal action against the respondent no. 3/ builder.**

xxx xxx xxx”

(Emphasis Supplied)

13. By referring to the annexed copy of the aforesaid writ petition, it is submitted that though the said Ms. Prabha, had alleged that she was the owner of the afore-noted property, however, no suit for possession or any other proceedings have been initiated against the petitioner herein.

14. He further submits that the said Ms. Prabha has been filing other writ petitions on similar grounds, through the same lawyer, against other parties as well, in which, she alleges that she is the owner of the property in question.

15. Attention of this Court has been drawn to the copy of the writ petition



being W.P. (C)15906/2024, titled as “Ms. Prabha Versus Municipal Corporation of Delhi and Ors.”, attached as Annexure-13 with the present writ, wherein, submissions have been made on behalf of Ms. Prabha, in the following manner:

“xxx xxx xxx

**2. That the petitioner is a bonafide purchaser of 100 Sq. Yds. Vacant Plot and has been illegally encroached by the respondent No.4 and constructing over it without obtaining any site plan from the concerned authority i.e. MCD and building bye-laws. It is pertinent to mention here that the petitioner is the lawful owner having the 100 Sq. Yds. portion of the said property which has been merged and illegally encroached by the respondent No.4. When the petitioner objected and made a complaint against the said encroachment and illegal construction, the respondent No. 4 given the threats and criminal intimidation to the petitioner. The document of the ownership of the petitioner in respect of the said property are enclosed herewith as ANNEXURE A (COLLY).**

**3. That the respondent No.4 is carrying out the unauthorized and illegal construction in the said Property Measuring 248 Sq. Yds. of Property/ Plot Bearing No. E-38, Khasra No. 748, Kanchankunj, Madanpur Khadar, Sarita Vihar, New Delhi-110076 out of which the 100 Sq. Yds. portion of the property grabbed and illegally encroached by the respondent No.4 from the petitioner. The petitioner made the complaint to the nearby police station and other concerned authorities; however, the officials of the concerned authorities did not take any action against the respondent No.4. The copy of the complaints dated 14.10.2024 along with acknowledgments are enclosed as ANNEXURE B (COLLY).**

xxx xxx xxx”

(Emphasis Supplied)

16. Perusal of the aforesaid clearly shows that similar averments have been made by the said Ms. Prabha that she is the owner of some other property in the aforesaid writ petition, also.

17. Attention of this Court has been drawn to a third writ petition being W.P.(C) 1846/2025, which is again titled as, “Prabha Versus Municipal Corporation of Delhi & Ors.”, wherein, the following averments have been made:



“xxx xxx xxx

**2. That the petitioner is owner of the 75 sq yd of the PROPERTY BEARING NO. 180-A KHASRA NO. 180 & 181 GALI NO. 4, ZAKIR NAGAR, JAMIA NAGAR, OKHLA NEW DELHI 110025 out of 200 sqr yds and the respondent no. 3 many times requested to petitioner that the respondent wants to purchase the petitioner's plot but the petitioner always denied the same. Copy of the property documents is annexed herewith as ANNEXURE-B.**

**3. That thereafter on last week of November 2024, petitioner came to know that the respondent no. 3 have dug a pit in the ground for the purpose of making basement, multi story commercial building up to six floors.**

xxx xxx xxx”

(Emphasis Supplied)

18. Perusal of the aforesaid three writ petitions, filed on behalf of Ms. Prabha, shows that similar averments have been made by the said Ms. Prabha, with respect to different properties, wherein, she has filed petitions for unauthorized construction against the said different properties on the ground that she is the owner of the said properties.



19. This Court takes note of the submissions made by learned counsel for the petitioner that no suit for possession or any other proceeding has been filed by the said Ms. Prabha against the petitioner, or against any third party, despite making averments that she is the owner of the said respective properties.


20. Learned counsel for the petitioner also draws the attention of this Court to the Aadhaar Card of the said Ms. Prabha, which is reproduced as under:



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प्रभा  
Prebha  
जन्म तिथि / DOB : 28/08/1984  
महिता / FEMALE

**7283 1265 1358**

मेरा आधार, मेरी पहचान

भारतीय विधि प्रमाण-प्राधिकरण  
Bharatiya Vidhi Praman-Pratikaran  
Bharatiya Vidhi Praman-Pratikaran Authority of India

पता:  
D/O: अशोक नारायण, मकान नंबर-316, गढ़ी मेंडु,  
मौजपुर, दिल्ली-110053

Address:  
D/O : Ashok Narayan, House  
No.-316, Garhi Mendu, Maujpur, Delhi-  
110053



**7283 1265 1358**

1847 | help@uidai.gov.in | www.uidai.gov.in

21. He further draws the attention of this Court to the validity check result of the said Aadhaar Card, which is reproduced as under:



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Unique Identification Authority of India



myAadhaar

135

Dashboard &gt; Check Aadhaar Validity

**728312651358 Exists**

Aadhaar Verification Completed

Age Band	20-30 years
Gender	FEMALE
State	Delhi
Mobile	*****541
This Aadhaar number requires Document (Proof of Identity-POI document & Proof of Address-POA) update. Please upload the documents through <a href="https://myaadhaar.uidai.gov.in">https://myaadhaar.uidai.gov.in</a> or visit nearby Aadhaar Seva Kendra.	

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22. He submits that as per the validity check of Ms. Prabha's Aadhaar Card, the age band is 20 to 30 years, whereas, as per the affidavit filed by the said Ms. Prabha in *W.P.(C) 16653/2024*, which is the petition against the petitioner herein, the said Ms. Prabha has given her age as about 40 years. The affidavit filed by Ms. Prabha in *W.P.(C) 16653/2024*, is reproduced as under:





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**IN THE HIGH COURT OF DELHI AT NEW DELHI.****16653**

CIVIL W.P. OF \_\_\_\_\_ 2024

IN THE MATTER OF:

PRABHA.

...PETITIONER

VERSUS

MUNICIPAL CORPORATION OF DELHI  
& ORS.

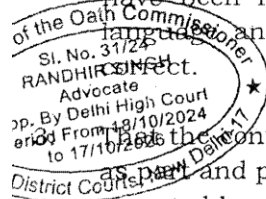
...RESPONDENTS

**AFFIDAVIT**

PRABHA D/O ASHOK NARAYAN R/O HOUSE NO 316 GARHI  
MENDU, MAUJPUR, DELHI 110053, presently at New Delhi, do hereby  
solemnly affirm and declare as under:- (Aged about 40 years)

1. That I am the petitioner in the accompanying writ petition  
U/A 226 of the Constitution of India and being fully  
conversant with the facts and circumstances of the case,  
hence competent enough to swear this affidavit.

2. That the accompanying writ petition has been drafted by my  
counsel upon my instructions and the contents of the same  
have been read over, explained to me in my vernacular  
language and understood by me, the same are true and



That the contents of the accompanying writ petition be read  
as part and parcel of this affidavit, as the same are not being  
repeated herein for the sake of brevity.

DEPONENT

**VERIFICATION**  
Who Has  
in My presence

23. This Court also takes note of the fact that a fresh contempt petition  
dated 02<sup>nd</sup> August, 2025, has also been served upon the petitioner. The index  
of the said contempt petition is reproduced as under:



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IN THE HON'BLE HIGH COURT OF DELHI AT  
NEW DELHI

Cont Case (C) No. \_\_\_\_\_ of 2025

In cont.cas(C) 76/2025

IN THE MATTER OF:

PRABHA ...PETITIONER  
VERSUS  
WAJID & ORS. ...RESPONDENTS

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NEW DELHI  
DATED:2.08.2025

*S. meena* FILED BY:

TWINKLE & ASSOCIATES  
ENROLL NO. D/6721/2019  
LAWYERS BLOCK  
SAKET COURT  
NEW DELHI 110017  
PH.NO. 7838242927

24. Considering the aforesaid, it seems that Ms. Prabha is only a stooge for various persons, who file writ petitions against persons who are raising construction, to extort money from them and to blackmail them.

25. This Court takes note of this very serious state of affairs.

26. Accordingly, it is directed that the Deputy Commissioner of Police ("DCP"), Sarita Vihar, with aid of the Station House Officer ("SHO"), Police Station Shaheen Bagh, shall carry out an investigation into the



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antecedents of the aforesaid Ms. Prabha.

27. Appropriate action shall be taken by the requisite authorities against the said Ms. Prabha.

28. Considering the submissions made before this Court, the Registry of this Court is directed that whenever, any future petition of any nature is filed by Ms. Prabha, daughter of Mr. Ashok Narayan, resident of *House No. 316, Garhi Mendu, Maujpur, Delhi-110053*, the order passed today shall be attached with those petitioners, so that the Courts, where the subsequent petitions are listed, are made aware of the order that has been passed today.

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

30. A copy of this order shall be sent to the DCP, Sarita Vihar and SHO, Police Station-Shaheen Bagh, for compliance.

**MINI PUSHKARNA, J**

**SEPTEMBER 25, 2025/au**