



2025:DHC:8738



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 25th September, 2025**+ W.P.(C) 14938/2025, CM APPL. 61497/2025 & CM APPL.
61498/2025

ANUJ BADHWAR & ORS.

.....Petitioners

Through: Mr. Parminder Singh, SC with Mr.
Aryanshu Vaibhav Gautam, Adv.

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Mr. Prag Chawla, Mr. Vineet Chadha,
Mr. Anmol Sethi and Mr. Pavit Singh,
Adv. (Through VC)**CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J. (Oral)**

1. The present writ petition has been filed by the petitioners seeking prayer for restraining the respondent from taking any coercive action against the property of the petitioner bearing *DDA Flat No. C-5C/27A, Janakpuri, New Delhi*, till the hearing and disposal of the *Appeal No. 560/2025*, filed by the petitioners against the Demolition Order before the Appellate Tribunal Municipal Corporation of Delhi ("ATMCD").
2. It is submitted that the petitioners are co-owners and in possession of the flat in question.
3. Learned counsel appearing for the petitioners submits that the petitioners, had earlier filed an appeal before the ATMCD against the



Vacation Notice dated 11th July, 2025. Subsequently, when the Demolition Order and other notices issued by the MCD were brought to the notice of the petitioners, the petitioners have now filed a fresh appeal before the ATMCD on 05th August, 2025, challenging the various orders passed by the Municipal Corporation of Delhi (“MCD”).

4. Since, as of now, there is no Presiding Officer in the ATMCD currently, the present writ petition has been filed for limited protection.

5. Issue notice. Notice is accepted by learned counsel appearing for the respondent-MCD, who confirms the fact that currently, there is no Presiding Officer in the ATMCD.

6. Having heard learned counsels for the parties, without going into the merits of the case, it is directed that since the petitioners have already filed an appeal before the ATMCD, no coercive action shall be taken against the petitioners, till hearing is granted by the ATMCD.

7. It is clarified that, in case, there is no Presiding Officer in the ATMCD, even by the next date of hearing, 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. Rights and contentions of all the parties are left open, to be decided in appropriate proceedings.



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

MINI PUSHKARNA, J

SEPTEMBER 25, 2025/KR