



2025:DHC:7519



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

% **Date of Decision: 28.08.2025**

+ W.P.(C) 13163/2025 & CM APPL. 53926/2025

RAMKESH CHAPRANA

.....Petitioner

Through: Mr. Lalit Gupta, Mr. Priyansh Jain,
Mr. Anmol Ghai, Ms. Ishita Nautiyal,
Ms. Kritika Verma and Mr. Divyansh
Sharma, Advocates along with son of
petitioner.

Mob: 9810355699

Email: lgadvocates@gmail.com

Versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Arjun Mahajan, SC for MCD
with Mr. Apoorv Upmanyu and Mr.
Harsh Vashist, Advocates

Mob: 9810047321

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J: (ORAL)

1. The present writ petition has been filed challenging the Demolition Order dated 13th August, 2025, passed by the Assistant Engineer-II, Building-II, Central Zone, Municipal Corporation of Delhi ("MCD"), received by the petitioner on 26th August, 2025, in respect of property of the petitioner bearing *House No. I-521, I-Block, Hari Nagar Extension, Badarpur, New Delhi-110044*.

2. Learned counsel appearing for the petitioner submits that the present petition has been filed before this Court, being aggrieved by the impugned



Demolition Order, since there is no Presiding Officer in the Appellate Tribunal, MCD (“ATMCD”) currently, as the earlier Presiding Officer has completed his tenure on 5th August, 2025 and no fresh appointment of any Presiding Officer has been notified by the Competent Authority, till date.

3. Learned counsel appearing for the petitioner submits that the Demolition Order dated 13th August, 2025 is pursuant to the first Show Cause Notice dated 20th May, 2025 issued by the Building Department, MCD.

4. He submits that the petitioner was unable to attend all the hearings *qua* the said Show Cause Notice and was therefore not able to submit all the requisite documents before the MCD.

5. He submits that, in the meanwhile, a second Show Cause Notice dated 19th August, 2025 has also been issued to the petitioner, *qua* which, hearing proceedings are still going on.

6. He, thus, submits that an opportunity be granted to the petitioner to submit all the requisite documents not only *qua* the Show Cause Notice dated 19th August, 2025, but also *qua* the Show Cause Notice dated 20th May, 2025.

7. Issue notice. Notice is accepted by learned counsel appearing for the respondent-MCD.

8. Learned counsel appearing for the MCD submits that the hearing is still going on and the petitioner has already been granted hearings pursuant to the Show Cause Notice dated 19th August, 2025. However, the final order is yet to be passed.

9. Having heard learned counsels for the parties and considering the submissions made before this Court, it is to be noted that proceedings before the MCD, pursuant to the Show Cause Notice dated 19th August, 2025, are



still pending.

10. This Court notes the submissions made by learned counsels appearing for the parties that the petitioner is being granted hearing pursuant to the second Show Cause Notice dated 19th August, 2025.

11. In view of the submissions made by learned counsel appearing for the petitioner that he shall also make submissions *qua* the Show Cause Notice dated 20th May, 2025, liberty is granted to the petitioner to do so.

12. Accordingly, it is directed that at the time of hearing being granted to the petitioner pursuant to the Show Cause Notice dated 19th August, 2025, the petitioner shall also be allowed to make his submissions and submit requisite documents with respect to the first Show Cause Notice dated 20th May, 2025.

13. It is directed that during the pendency of the proceedings before the MCD, pursuant to the Show Cause Notice dated 19th August, 2025, the Demolition Order dated 13th August, 2025, shall be kept in abeyance.

14. A fresh Speaking Order shall be passed by the respondent-MCD after granting opportunity of hearing to the petitioner with respect to the Show Cause Notice dated 20th May, 2025, as well as Show Cause Notice dated 19th August, 2025.

15. The Speaking Order shall be duly communicated to the petitioner.

16. It is directed that, in case, the petitioner is aggrieved by the Speaking Order passed by respondent-MCD, the petitioner shall be at liberty to seek his remedies, in accordance with law.

17. It is directed that, in case, the Speaking Order passed by the MCD is against the petitioner, the operation of the said Speaking Order shall be suspended for a period of four weeks after passing of the said Speaking Order.



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

AUGUST 28, 2025/ak

MINI PUSHKARNA, J