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

CNR No. DLHC010446702026

+ **W.P.(C) 13777/2026 with CM APPL. 64358/2026 and CM APPL. 64359/2026**

KUMAR PUSPANJAY & ORS.

.....Petitioners

Through: Mr. Pranay Chitale, Mr. Nimesh Sharma and Ms. Smiti Verma, Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI
& ANR.**

.....Respondents

Through: Mr. Srijan Sinha, Mr. Rishi Chouksey and Ms. Surbhi Jain, Advocates for MCD.

Mr. Niraj Kumar and Mr. Chaitanya Kumar, Advocates for Delhi Police.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

18.09.2026

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1. The present writ petition has been filed seeking setting aside of the impugned speaking order dated 1st August, 2026, whereby the respondent no.1/MCD has directed demolition of property bearing no. *E-49/12, E-Block, Okhla Industrial Area, Phase-II, New Delhi* ('subject property').
2. Petitioners are the residents of Ground Floor and First Floor of the subject property, whereas the private respondent no.2 is the occupant of the Basement, Second and Third Floors of the subject property.
3. It is the case of the petitioners that the subject property has been



found to be structurally safe by the MCD itself and only some repairs are required to be carried out

4. Counsel for the petitioners submits that the petitioners are willing to carry out the repairs in the portions occupied by them, however the private respondent no.2 is not cooperating in the said process. He submits that repairs are to be carried out for the building as a whole.

5. Attention of the Court has also been drawn to Sections 366, 367 and 368 of the Delhi Municipal Corporation Act, 1957 ('DMC Act'). It is stated that in terms of Section 367 of the DMC Act, MCD can carry out the requisite repair work on their own at the cost of the parties.

6. Counsel for the petitioners submit that since the private respondent no.2 is not cooperating, the petitioners are unable to carry out the repair work. However, they are willing to bear the expenses for carrying out the repair work, including for the portions occupied by the private respondent no.2.

7. Issue notice.

8. Notice is accepted by counsel appearing on behalf of the respondent no.1/MCD, who seeks some time to take instructions.

9. Let notice be issued to the private respondent no.2 through all permissible modes.

10. Status report/counter affidavit be filed within four (4) weeks.

11. List on 16th November, 2026 in '*Top Ten Matters*'.

12. In the meanwhile, no coercive steps shall be taken in respect of the subject property.

AMIT BANSAL, J

SEPTEMBER 18, 2026/Vivek/-