
(2025) 10 DEL CK 1334

In the Delhi High Court

Case No : Writ Petition (C) No. 15694 Of 2025 & Civil Miscellaneous Application
No. 64178 Of 2025

Ghulam Hasnain

APPELLANT

Vs

MCD & Anr

RESPONDENT

Date of Decision : 13-10-2025

Acts Referred:

Citation : (2025) 10 DEL CK 1334

Hon'ble Judges : Mini Pushkarna, J

Bench : Single Bench

Advocate : Suhail Khan, Vratika Mittal, Farid Ahmad Nizami, Anuj Gupta, Syed Husain Adil Taqui, Amit Kumar Rana

Final Decision : Disposed Of

Judgement

Mini Pushkarna, J

1. The present writ petition has been filed seeking directions to the respondents to stop the on-going illegal and unauthorized construction in property bearing No. 930, Chhatta Shah Ji, Chawri Bazar, Delhi-110006.

2. Responding to the present writ petition, learned counsel appearing for the Municipal Corporation of Delhi ("MCD"), submits that the premise of filing the present writ petition is that the petitioner claims to be one of the co-owners, of the property in question. However, no such documents have been placed on record.

3. Learned counsel appearing for the MCD further submits that pursuant to the complaint received, a Work Stop Notice dated 08th October, 2025 was issued. One Ms. Alka Jain was found to be carrying out the construction work in the property in question. He submits that Ms. Alka Jain has given an undertaking that repair work shall be carried out only in terms of what is permissible under the Unified Building Bye-Laws for Delhi, 2016 ("UBBL, 2016").

4. He submits that the MCD shall ensure that the repair work, being carried out by the said Ms. Alka Jain, is in terms of the UBBL, 2016.
5. On a pointed query by this Court, to learned counsel appearing for the petitioner, as to the documents pertaining to the co-ownership of the petitioner, learned counsel appearing for the petitioner submits that the petitioner does not have such documents. He submits that the petitioner has inherited the property from his great grandfather, who had given the property in question on rent to the predecessor-in-interest of the current occupant.
6. This Court notes the Memo of Parties, which shows that the current occupant of the property in question has not even been impleaded in the present writ petition.
7. Further, this Court, in writ proceedings, would not go into any disputed questions of facts. Any issue with regard to title or ownership of the property in question, can neither be raised, nor be considered in writ proceedings.
8. Accordingly, it is held that the petitioner is not entitled to file the present writ petition.
9. This Court notes the submission made by learned counsel appearing for respondent-MCD, that the current occupant of the property in question, i.e., Ms. Alka Jain, has already given an undertaking that the repair work shall be carried out in terms of the permissible limits under the UBBL, 2016.
10. Accordingly, the MCD is directed to ensure that the repair/renovation work is carried out in accordance of UBBL, 2016.
11. Noting the aforesaid, the present writ petition, along with the pending application, is accordingly disposed of.