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

CNR No. DLHC010446862026

+ **W.P.(C) 13789/2026, CM APPL. 64398/2026 & CM APPL. 64399/2026**

ARCHANA KALRA

.....Petitioner

Through: **Dr. Gaurav Manuja, Advocate.**

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: **Mr. Tushar Sannu, Standing Counsel**
with **Mr. Fajallu Rehman, AE, MCD.**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

18.09.2026

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1. The present writ petition has been filed seeking quashing of the order dated 10th September, 2026 passed by the MCD under Section 348 of the Delhi Municipal Corporation Act, 1957 ('DMC Act'), stating that the property bearing no. 75, *Satya Niketan, New Delhi* ('subject property') is in a dangerous condition. The petitioner also seeks quashing of vacation notice dated 10th September, 2026, calling upon the petitioner to vacate the subject property.

2. It is stated that the petitioner is residing at the subject property.

3. Counsel for the petitioner submits that the subject property is not in a dangerous condition and the aforesaid orders have been passed mechanically without conducting any physical or structural inspection of the subject property. He further submits that on basis of the said orders, the



respondent/MCD is proceeding to demolish the subject property .

4. Issue notice.

5. Notice is accepted by Mr. Tushar Sannu, counsel appearing on behalf of respondent/MCD.

6. Mr. Sannu submits that 4th and 5th Floor of the subject property is being used for running a PG accommodation.

7. A reference may be made to the order passed by this Court on 16th September, 2026 in W.P.(C) 13564/2026 titled as '**Senior Citizen Kundan Lal and Anr v. MCD**' which was also in relation to a property in Satya Niketan area, wherein this Court passed a detailed order discussing the legal provisions with regard to exercise of power under Section 348 of the DMC Act, 1957.

8. Accordingly, a direction is issued to MCD to carry out proper inspection of the subject property and to determine if the property is in a dangerous condition or not. The inspection will also consider whether the subject property can be repaired so as to make it safe.

9. Based on the inspection, let a status report be produced before this Court on or before the next date of hearing.

10. List on 25th September, 2026 in '*Supplementary List*'.

11. Counsel for the petitioner assures the Court that no PG accommodation shall be run in the subject property and the building shall not be used for commercial activities till the next date of hearing.

12. Subject to the above, no coercive action shall be taken against the subject property till the next date of hearing.

13. It is made clear that this order has been passed on the basis of the submission of the counsel for petitioner that the property is not in a



dangerous condition and is safe for habitation. Hence, the petitioner alone shall bear the responsibility of any untoward occurrence in the subject property.

AMIT BANSAL, J

SEPTEMBER 18, 2026
at