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

+ **W.P.(C) 4303/2025 & CM APPL. 19961/2025**

AAS MOHAMMED & ANR.

.....Petitioners

Through: Mr. Mujeeb Ahmed, Adv.
M: 9891310723
Email: legalcell21@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Kapil Dutta and Mr. Vansh
Luthra, Advs. for MCD
M: 8521597838
Email: kapilduttamcd@gmail.com
Ms. Nitika Bhutani, Adv. for R-2.
M: 9953572757
SI Braham Prakash, PS Hazrat
Nizamuddin
M: 98911224796
Mr. Tushar Sannu, Mr. Shivam and
Ms. Aparna, Advs. for Delhi Waqf
Board
M: 9911991166
Email: adv.tusharsannu@gmail.com
Mr. Ripudaman Bhardwaj, CGSC
with Mr. Kushagra Kumar, Mr.
Abhinav Bhardwaj and Mr. Amit
Kumar Rana, Advs. for R-3 and 5.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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04.04.2025

CM APPL. 19961/2025 (For Exemption)

1. Exemption is allowed, subject to all just exceptions.



2. Application is disposed of.

W.P.(C) 4303/2025

3. The present writ petition has been filed seeking direction to the respondents to immediately protect the 14th Century mosque, namely, Kalan Mosque, which is situated within the locality of Hazrat Nizamuddin, South Delhi.

4. Learned counsel appearing for the petitioners submits that unauthorized construction is being carried out within the premises of the mosque.

5. Issue notice. Notice is accepted by learned counsel appearing for the respondents.

6. Learned counsel appearing for respondent no.1-Municipal Corporation of Delhi (“MCD”) submits that the concerned officials of MCD have inspected the property today morning, i.e., 04th April, 2025. He submits that some construction is being carried out inside the mosque.

7. Learned counsel appearing for Archaeological Survey of India (“ASI”) submits that he is yet to take instructions.

8. Mr. Tushar Sannu, learned counsel appearing for the Delhi Waqf Board submits that no unauthorized construction is going on.

9. If that be the case, no further construction shall be carried out till the next date of hearing.

10. Accordingly, it is directed that *status quo* shall be maintained as regards any construction within the premises of the mosque.

11. The MCD and ASI are directed to carry out a joint inspection of the property on 05th April, 2025 at 11:00 AM and submit the Report before this Court, before the next date of hearing.



12. The concerned Station House Officer (“SHO”), Police Station, Hazrat Nizamuddin, shall provide police protection to the officials of the ASI and MCD at the time of joint inspection.
13. The officials of Delhi Waqf Board shall also be present at the time of the inspection.
14. Re-notify on 15th April, 2025.

MINI PUSHKARNA, J

APRIL 4, 2025/kr