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

CNR No. DLHC010168742026

+ **W.P.(C) 5388/2026 & CM APPL. 26350/2026, CM APPL. 37444/2026**

VAISHALI TYAGI

.....Petitioner

Through: **Mr. Raghav Bansal & Mr. Shashwat Bansal, Advocates.**

versus

MUNICIPAL CORPORATION OF DELHI & ANR.

.....Respondents

Through: **Mr. Anand Prakash, Standing Counsel for MCD with Ms. Varsha Arya, Advocate.**

Mr. Ajjay Arora, Senior Advocate with Mr. Vansh Luthra, Advocate for R-2

Mr. Rishi Kant Singh, Adv., for DJB (Through video-conferencing).

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

31.08.2026

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Since 27th August, 2026 was declared a Court holiday, the matters listed on 27th August, 2026 are being taken up today, i.e., 31st August, 2026.

1. This order may be read in continuation of the order passed by this Court on 22nd April, 2026.
2. A status report has been filed on behalf of the respondent no.1/ MCD.
- 2.1. A copy of the same has been handed over in Court and the same is



permitted to be taken on record.

3. Paragraph nos.7 and 8 of the aforesaid status report is set out below:

“7. That in reply to the content of para no. 7 it is submitted that portion under possession of the petitioner was found fully constructed and occupied and there is no open area to be encroached upon except the side set back which is 10 feet (approx) and there is partition wall in the portion of petitioner. Thus, no encroachment by Respondent No. 2 upon the portion of the petitioner was noticed during the course of inspection.

8. That the content of para no. 8 is wrong and denied in toto. It is submitted that the finishing works was observed at the portion of Respondent No. 2 in the regularized portion which was regularized as per the directions of Hon'ble Court vide order dated 09.01.2026 in WP(C) No. 17594/25. Thus, no construction activity was found beyond the portion under possession of Respondent No. 2. On the basis of measurements and physical verification carried out at site, no encroachment over the petitioner's portion by Respondent No. 2 could be established. A site plan indicating the respecti portions of the parties and photographs taken during inspection are enclos herewith as:

- *Annexure-C: Site Plan*
- *Annexure-D: Photographs of Site Inspection”*

4. From a reading of the aforesaid paragraphs set out above, the stand of the respondent no.1/ MCD is clear that there is no encroachment over the petitioner's property by the respondent no.2.

5. Insofar as prayer (ii) is concerned, in the event the petitioner has any grievance with the regularization granted by MCD in favour of the respondent no.2, the petitioner would be at liberty to avail remedies available in law.

6. The present petition along with all pending applications stands disposed of in terms of above.

AMIT BANSAL, J

AUGUST 31, 2026/at