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

CNR No. DLHC010403752026

+ **CONT.CAS(C) 1557/2026 & CM APPL. 58027/2026**

UMESH KUMAR TANWAR AND ORS.

.....Petitioners

Through: Mr. Anurag Jain, Mr. M.K. Khan, Mr.
Aman Mirza and Ms. Tanzeem Bano,
Advs.
Mob: 9873787009
Email: adv.kasimkhan@gmail.com

versus

**SH. SANJEEV KHIRWAR THE COMMISSIONER OF MCD AND
ORS.**

.....Respondents

Through: Mr. Kunal Rawat, Ms. Vanshika
Varshney and Mr. Charanjeet Singh,
Advs. for R-1/MCD
Mob: 9312012009
Mr. Pramod Kumar and Mr. Mayank
Dhyani panel counsel for R-3
(Through VC)
Mob: 9717888012
Email: prmdkumar20@gmail.com

Mr. Saurabh Kansal, Senior Panel
Counsel for R-4 to 6/UOI with Mr.
Suraj Kumar Jha, Adv. (Through VC)
Mob: 9958378565
Mr. Hemant Chaudhri and Mr. Ranjan
Vyas, Advs. for R-7
Mob: 9810035336



CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

31.08.2026

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1. The present petition has been filed alleging wilful disobedience of the order dated 22nd May, 2026, passed by this Court in W.P.(C) 7295/2026, wherein, directions were issued in the following manner:

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1. The present writ petition has been filed seeking a direction to the respondent/MCD to demolish the unauthorised construction being carried out by the private respondents no.7 to 9 at *Khasra No. 279, Kirti Nagar, Delhi.*

2. It appears there is a dispute with regard to the subject property between the petitioners and the private respondents no.7 to 9.

3. Counsel appearing on behalf of the private respondents no.7 to 9 on advance notice, submits that the present petition has been filed on account of the aforesaid property dispute.

4. Counsel appearing on behalf of the respondent/MCD on advance notice submits that a demolition exercise has been carried out in the subject property, as the same was unauthorised.

5. In view of the aforesaid, the writ petition is disposed of.

6. The respondent/MCD and the police authorities will ensure that no unauthorised construction is carried out in the subject land.

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2. In response, learned counsel appearing for the Municipal Corporation of Delhi (“MCD”) has handed over to this Court, certain documents in order to show that requisite action against the property in question already stands taken.

3. The said documents are taken on record.



4. This Court notes the submissions made by learned counsel appearing for the MCD that action was taken on 25th August, 2026, and the existing construction in the property in question has been made inhabitable.

5. At this stage, learned counsel appearing for the petitioner submits that further construction in the property in question, is going on.

6. Learned counsel appearing for respondent nos. 7 to 9 disputes the said fact, and submits that no construction is going on presently at the property in question.

7. He further draws the attention of this Court to the paragraph 11 of the present petition, which reads as under:

“xxx xxx xxx

11. That the Petitioners are personally aggrieved because the Petitioner are the real and absolute owner of the property and the Respondent No. 7 to 9 are the Co-owner of the different share of the property but the Respondent No. 7 to 9 doing illegal construction on the share of Petitioners also.

xxx xxx xxx”

8. By referring to the aforesaid, learned counsel appearing for respondent nos. 7 to 9 submits that the petitioner and respondent nos. 7 to 9 are cousins, and that the present petition is more in the nature of a private property dispute.

9. Considering the submissions made before this Court, it is directed that the MCD and the Police shall ensure that no unauthorized construction takes place in the property in question.

10. However, respondent nos. 7 to 9 are at liberty to carry out construction after obtaining due sanction from the MCD.

11. Noting the aforesaid, the present petition is accordingly disposed of.



12. Pending application also stands disposed of.

MINI PUSHKARNA, J

AUGUST 31, 2026/SK