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

+ W.P.(C) 5512/2025

PARIVARTAN RESIDENTS WELFARE ASSOCIATION
THROUGH ITS PRESIDENTPetitioner

Through: Mr. Sahim Khan, Advocate (Through
VC)

versus

MUNICIPAL CORPORATION OF DELHI THROUGH ITS
DEPUTY COMMISSIONER & ORS.Respondents

Through: Ms. Pushti Gupta, SPC with Mr.
Sudhanshu Sharma, Adv. for R-2
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Ms. Himanshi Soni, Adv. for R-2

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
25.09.2025

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1. The present writ petition has been filed seeking directions to respondent nos. 1 and 2, to take immediate steps to remove the encroachments caused by the shops situated in *Chhattarpur Enclave, Phase-2*, especially in *Building Nos. B-192 and B-196, Main Chhattarpur Enclave Road*, by the shopkeepers, i.e., respondent nos. 3 to 6.
2. A Status/Action Taken Report dated 18th July, 2025, has been filed on behalf of the respondent no. 1-Municipal Corporation of Delhi ("MCD"), relevant portions of which, read as under:



“xxx xxx xxx

4. That considering the aforementioned relief, as sought by the petitioner, so far as role of answering Respondent – MCD is concerned, it is submitted that a joint temporary encroachment removal action has been taken / carried out by the the Licensing Department of General Branch alongwith Health Department of South Zone – MCD on 10/05/2025 and during the course of action, temporary encroachments from the alleged site i.e. Chattarpur Enclave Phase – 2, Saidulajab and its surrounding area have been removed and also seized their articles in the shape of 03 steel counters, 02 iron tables, 01 iron frame, 02 tables and 06 chairs. Photographs taken during the aforesaid temporary encroachment removal action

alongwith copy seizer memo are annexed herewith as

Annexure-A (Colly).

5. That after taking the aforementioned temporary encroachment removal action, a letter dated 14/05/2025 has also been sent to concerned, SHO PS Mehrauli, New Delhi with the request to keep strict vigil in the area where temporary encroachment have been removed so that re-encroachment on the public land / road could not be re-occurred by the vendors / encroachers as per direction of the Hon'ble Supreme Court of India in the matter of "Sudhir Madan & Ors. V. M.C.D & Ors. in IA No. 394 in IA No. 356 in W.P (C) No. 1699/1987 dated 05-05-2006 and Hon'ble High court of Delhi in W.P.(C) 4999/2017 and CM No. 21610/2017 in the matter of "Mannu Mishra vs. Govt. of NCT of Delhi & Ors. as well as the directions of Hon'ble Lieutenant Governor of Delhi in this regard for making roads/corridors congestion free. Copy of the said letter is also annexed herewith as **Annexure-B.**

6. That in light of the above facts and circumstances, it is humbly submitted that the requisite encroachment removal action has already been taken / carried out by the concerned departments of Respondent - MCD on 10/05/2025 in the area in question and its area field staff are also keeping and maintaining the strict watch. It goes without saying that immediately upon noticing any re-encroachment; the immediate request encroachment removal action will be taken / carried out.



Hence, in view of the above made submissions, the instant Writ Petition may kindly be disposed of in the interest of justice.

3. Considering the aforesaid Status/Action Taken Report, this Court notes that action for the remaining encroachment in the area in question, is being taken by the MCD.
4. The MCD is held bound to take regular action and ensure that re-encroachment does not take place in the area in question.
5. At this stage, learned counsel appearing for the petitioner submits that the encroachment in the area in question has not been fully removed.
6. Accordingly, MCD is directed to ensure that regular and concerted action is taken with regard to the removal of encroachment in the area in question.
7. With the aforesaid directions, the present writ petition is accordingly disposed of.

MINI PUSHKARNA, J

SEPTEMBER 25, 2025/SK