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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 806/2025 CM APPL. 30886/2025**
HASEEN KHAN @ HASEEN UDDINPetitioner

Through: Appearance not given.

versus

MUNCIPAL CORPORATION OF DELHI & ORS.Respondents
Through: Mr. Siddhant Nath, Adv. for MCD.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
20.05.2025

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1. This petition has been filed alleging wilful disobedience of order dated 27th March 2023 passed in **W.P.(C) 3833/2023**. Relevant directions are extracted as under:

“1. By way of the present petition filed under Articles 226 and 227 of the Constitution of India, the petitioner who claims to be a social worker, has assailed the illegal encroachment/unauthorised construction stated to be carried out at Shop bearing nos. 1, 2, 10, 11 & 12 Sanwal Nagar, New Delhi (hereinafter referred as to as the 'subject property') by respondents No.5 and 6.

2. Learned counsel for the petitioner submits that complaints in this regard were also made to the concerned authorities, however no action has been initiated till date against the encroachment on public land.

3. In view of the above, the present petition is disposed of along with the pending application with a direction that the respondents/MCD would consider the petitioner's complaints and in case any illegal encroachment is found,



needful action shall be taken expeditiously.

4. Needless to state that in case the petitioner remains aggrieved by inaction of the respondents/MCD, he shall be at liberty to approach the STF (DDA) or to file proceedings in accordance with law.”

3. Counsel for petitioner who appears through Legal Aid, states that as per her instructions, a representation has been made to the Special Task Force (**STF**). However, the same is not on record.
4. In any event, *Mr. Siddhant Nath*, counsel for the Municipal Corporation of Delhi (**MCD**), states on instructions that insofar as *Shop Nos.1 & 2 at Sanwal Nagar, New Delhi* are concerned, they enjoy the protection of an order of the Appellate Tribunal, Municipal Corporation of Delhi (**ATMCD**), whereas *Shop Nos.10, 11 & 12* have also filed their pleas before the ATMC and the matters are pending.
5. In any event, notwithstanding these submissions, petitioner must approach the STF first, as per the order dated 27th March 2023.
6. STF is directed to investigate these grievances and issue appropriate directions in this regard with intimation to counsel for petitioner within four weeks.
7. The representation, if already submitted, may be disposed of; if not submitted, then the petitioner has the option to approach the STF.
8. Petition is disposed of with the above directions.
9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 20, 2025/ak/tk