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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 1479/2013& CM APPL. 2790/2013, 2140/2023,
55936/2023, 26772/2025

PHERAN SINGH YADAV AND ANRPetitioners

Through: Mr. Deepak Pathak, Advocate.

versus

GOVT. OF NCT OF DELHI AND ORSRespondents

Through: Mr. Kapil Dutta, Advocate for MCD.
Mr. Bhagwan Swaroop Shukla,
CGSC with Mr. Pradyumn Singh, Mr.
Yash B. and Mr. Abhishek Mishra,
Advocates for R-3 and 4.
Mr. L.B. Rai, Mr. Vineesh Tyagi and
Mr. Deepak, Advocates for R-6.
Mr. Parveen Bhati and Mr. Jagdev
Singh, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

18.09.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 226 of the Constitution of India seeks following prayers:-

“It is therefore, most respectfully prayed that a writ of mandamus or any other appropriate writ may kindly be issued directing the respondents no. 1 to 5 to take appropriate legal action against respondent no.6 thereby removing him as well as the unauthorized construction raised by him on the public land measuring about 5436 Sq. Yards in Khasra no. 21/25/1, 22/1 in the revenue estate of Village Mundka now popularly known as Hind Vihar, Prem Nagar more specifically shown in the site plan.

Any other or further relief which this hon'ble this hon'ble court deem fit and proper under the circumstances of the case may also be granted to the petitioner along with the cost of the petition.”



3. During the course of the present proceedings and in pursuance of the order dated 05.05.2025, an affidavit on behalf of MCD authored by Rajesh Arora, Executive Engineer, (Building-II) Rohini Zone, Municipal Corporation of Delhi, Zonal Office Building Rohini, Delhi had been placed on record, wherein it has been recorded as under:-

“2. That it is stated that on the basis of complaint dt.23/04/25 with respect to construction on the aforesaid property, a stop work notice u/s 344(2) of DMC Act vide no. AE(B)-11/RZ/2025/68 dt. 25/04/25 was Issued to SHO, Prem Nagar. A copy of the said letter is enclosed herewith as **Annexure ‘R2-1’**

3. That, subsequently, a demolition action was taken on the unauthorized construction in the form of Brick Work and column of peripheral wall on 05/05/2025 with the help of police force. Photographs are enclosed herewith as **Annexure ‘R2-2’**

4. That a watch and ward letter no. AE(B)-II-RZ-2025/124 dt. 09/05/25 was issued to SHO Prem Nagar to maintain status quo at the aforesaid property. A copy of the said letter is enclosed herewith as **Annexure ‘R2-3’.**”

4. Relevant photograph has been placed on record which is reproduced as under: -



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5. In view of the above, no further directions are called for.
6. Without prejudice to the rights and contentions of the parties in respect of the subject property, the present petition is disposed of.
7. Needless to state that in case of any unauthorised construction, the concerned department shall act in accordance with law.
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AMIT SHARMA, J

SEPTEMBER 18, 2025/sn