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

+ W.P.(C) 10400/2019 & CM APPL. 42967/2019

VIJENDER DAGGAR

.....Petitioner

Through: Mr. Rahul Verma, Advocate (through
VC)

versus

SOUTH DELHI MUNICIPAL CORPORATION AND ORS.

.....Respondents

Through: Ms. Saroj Bidawat, SC for MCD
(through VC)
Mr. Ajay Vikram Sinigh, Advocate
for DUSIB
Mob: 9868632122
Mr. Tushar Sannu and Ms. Ishika
Jain, Advocates for DDA

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
13.10.2025

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1. The matter has been pending since the year 2019.
2. Earlier, a Status Report had been filed on behalf of the Municipal Corporation of Delhi ("MCD"), wherein, it is stated as follows:

"xxx xxx xxx"



3. That in order to ascertain the status of alleged encroachment in front of H. No. E-114, (Near Country Wide Apartment) Village Mohammad Pur , New Delhi , the area Licensing Inspector of General Brach of South Zone /SDMC inspected the same on 17/02/2020 and upon noticing the encroachment in the shape of temporary structure also fixed the necessary removal program for 17/02/2020. During the said inspection no commercial activity have been found at site. The photographs as taken during the site inspection are annexed herewith as **Annexure - A (Colly).**
4. That on 17/02/2020 the aforesaid action could not be materialized since at site one Sh. Satish Dagggar disputed and claimed that the site in question pertains to him and it is not an encroachment
5. That considering the same, the removal action for 17/02/2020 was deferred and to ascertain the status of the land on the basis of Revenue Record whether the same is Govt. / public land or otherwise , a letter has been written to concerned SDM vide dated 19/02/2020. The copy of the letter



as sent in this regard is annexed herewith as

Annexure –B

6. That further action in respect of the site in question will be taken / carried out as per law immediately upon receiving the information regarding the status of the land in question from SDM concerned as requested for . ”

3. Perusal of the Status Report filed on behalf of MCD shows that when MCD intended to take action for removal of encroachment in front of *House No. E-114,(Near Country Wide Apartment) Village Mohammad Pur, New Delhi*, it was informed to MCD by one Sh. Satish Daggar that the site in question belonged to him and that the same was not an encroachment on any public land.

4. Thus, action was deferred by the MCD, in order to ascertain whether the area in question is government/public land or otherwise.

5. On pointed query by this Court, learned counsel appearing for the respondent-MCD submits that they have not been provided with the status of the land in question, as to whether the same is a private land or a public land.

6. A Status Report has also been filed on behalf of the Special Task Force (“STF”), wherein, it has been stated that it is for the MCD to take action.

7. Accordingly, the concerned officials of the MCD, Delhi Development



Authority (“DDA”) and the concerned Sub-Divisional Magistrate (“SDM”), Government of NCT of Delhi (“GNCTD”), are directed to have a joint meeting, to ascertain the status of the aforesaid land in question.

8. In case, the land in question constitutes a public land, requisite action for removal of the encroachment shall be taken.

9. With the aforesaid directions, the present writ petition, along with the pending application, is accordingly disposed of.

MINI PUSHKARNA, J

OCTOBER 13, 2025

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