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

+ **W.P.(C) 9390/2025 & CM APPL. 39661/2025**

AAKASH KUMAR

.....Petitioner

Through: Mr. R.K. Bedi and Mr. Deepak Arora,
Advvs.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Bharat Malhotra, Adv. for MCD
Mr. Shashi Pratap Singh and Ms.
Aishwarya Bhatia, Advvs. for R-2
Ms. Ritu Reniwal, SPC with Mr.
Mahendra Kumawat, Adv. for R-3
(Through VC)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

09.07.2025

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1. The present writ petition has been filed for restraining the respondent no. 4 from carrying out any construction at property bearing *No. 1412, Bank Street, Nai Wala, Karol Bagh, Delhi-110005*, which as per the petitioner, is being carried out unauthorizedly and to further direct respondent nos. 1 to 3, to take immediate action against such unauthorized construction.
2. *Per contra*, learned counsel appearing for respondent no.1 has handed over photographs of the area in question to submit that no construction is being carried out in the property *No. 1412, qua* which present petition has been filed. However, he submits that the construction is being carried out in the adjacent property, i.e., property bearing *No. 1413-1415*, for which there



is a Sanctioned Building Plan.

3. He further submits that the respondent no. 1 - Municipal Corporation of Delhi (“MCD”), has already inspected the on-going construction in property No. 1413-1415 and that no deviation in the on-going construction was found.

4. Learned counsel appearing for the Special Task Force (“STF”) has also handed over a copy of the status of the complaint dated 28th May, 2025 of the petitioner with regard to the property in question. He submits that after the receipt of complaint with respect to property No. 1412, the same was duly forwarded to the MCD. Subsequently, a Report was received by the STF from the MCD.

5. The documents handed over by learned counsels appearing for the MCD and STF, are taken on record.

6. Learned counsel appearing for the STF reiterates the fact that they had received the Report from the MCD, wherein, MCD confirmed that there was no on-going construction in property No. 1412.

7. Accordingly, this Court notes that the present writ petition has been filed without any basis and with reference to a property number, wherein, there is no on-going construction at the moment.

8. The construction which is being carried out in the adjacent property to the property No. 1412, *qua* which the present petition has been filed, is stated to be carried out, pursuant to a Sanctioned Building Plan.

9. This Court notes the submission of learned counsel appearing for the MCD, that the said construction in the property bearing nos. 1413-1415, is being carried out properly and that there are no deviations from the Sanctioned Building Plan.



10. This Court further notes that the present petition has been filed on the basis that the petitioner was walking along with the main road adjacent to the property in question and the petitioner met with an accident due to the debris and raw construction material lying across the public road in front of the property No. 1412.

11. This Court further notes that merely on the said basis, without inquiry as to the status of the construction in the property, and without proper inquiry as to the property number, the present writ petition has been filed.

12. This Court deprecates such a conduct, wherein, petitions are filed without proper enquiry as to the property number and status of construction in the said property, only on the basis that the person was walking in front of a particular property, wherein, some construction was going on.

13. Accordingly, the present writ petition, along with the pending application, is dismissed.

MINI PUSHKARNA, J

JULY 9, 2025/KR