



\$~52

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

+ **W.P.(C) 11614/2025**

FARID ABBAS

.....Petitioner

Through: Mr. Farid Abbas and Mr. Nishant
Kaushik, Advs. (Through VC)
M: 7669947786

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Nitesh Mehra, Mrs. Hitakshi
Mehra and Mrs. Parnika Chudhary,
Advs. for MCD
Ms. Arti Bansal and Ms. Shruti Goel,
Advs. for R-2

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

05.08.2025

%

1. The present writ petition has been filed seeking directions to the respondent no. 1 to demolish the illegal construction of 1.5 feet pavement in the street, which has increased the height of the street in front of *House Nos. 424 to 427, Pocket 1, Sector A6, Narela, Delhi-110040*, and solve the problem of stagnation of water in the remaining street portion.
2. The petitioner, who appears in person, submits that the illegal construction was carried out in the street and almost 1.5 feet of street has been illegally uplifted, as aforesaid. Additionally, neither any legal guidelines or procedure has been followed, nor permission has been taken by the private respondents from the concerned department before



constructing the illegal structure.

3. Thus, it is submitted that due to the illegal construction, problem of stagnation of water has started to occur in front of the office of the petitioner during the rainy seasons. Thus, ingress and egress in the office has become difficult for the petitioner and his clients, as the front yard of the office is filled with water up to 1.5 feet.

4. Learned counsel appearing for respondent no. 1-Municipal Corporation of Delhi (“MCD”), on advance notice, submits that the unauthorized construction in question has already been booked and demolition action is planned on 11th August, 2025.

5. Accordingly, the MCD is held bound by its statement. The requisite action shall be taken by the MCD for removal of the encroachment/unauthorized construction, after following the due procedure.

6. In case the private respondents, who have undertaken the construction in question, are aggrieved by any action of the MCD, they shall be at liberty to seek their remedies, in accordance with law.

7. Additionally, in case the petitioner is aggrieved by any non-action on the part of the MCD, the petitioner shall be at liberty to seek his remedies, in accordance with law.

8. No further directions are required to be passed in the present petition.

9. Accordingly, the present petition is disposed of.

MINI PUSHKARNA, J

AUGUST 5, 2025/KR