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

+ W.P.(C) 13411/2025 & CM APPLs. 54993-95/2025.

MAHESH KUMAR

.....Petitioner

Through: Ms. Vrinda Bhandari, Ms.
Anandita Rana, Advocates with
petitioner.

versus

DEPARTMENT OF FORESTS
AND WILDLIFE & ORS.

.....Respondents

Through: Ms. Arti Bansal, ASC with Ms.
Shruti Goel, Advocates for MCD.
Ms. Kritika Gupta, Advocate for
R-4/DDA.
Ms. Urvi Mohan, Ms. Vaishali
Gupta, Advocates for R-1 and 3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **01.09.2025**

1. The petitioner has filed this writ petition under Article 226 of the Constitution seeking the following reliefs:

“A. Issue a writ of Mandamus, or any other appropriate writ, order, or direction, as the Hon'ble Court deems fit, directing the Respondent Nos. 1 to 4 to immediately inspect the premises at H. No. 200, G/F, Village Neb Serai (Khasra No. 446), Mehrauli, New Delhi – 110068 and any other construction carried out by/at the behest of/for the benefit of Respondent No. 5 and any other premises located in Khasra No. 446 situated in the revenue estate of Village Neb Serai;

B. Issue a writ of Mandamus, or any other appropriate writ, order, or direction, directing the Respondent Nos. 1 to 4 to ascertain the legality of the constructions at H. No. 200, G/F, Village Neb Serai, Mehrauli, New Delhi – 110068 and any other premises located in Khasra No. 446 situated in the revenue estate of Village Neb Serai and examine the



existence of sanctioned building plans and approvals, if any;

C. Issue a writ of Mandamus, or any other appropriate writ, order, or direction, directing the Respondent Nos. 1 to 4 to take steps to seal and demolish the constructions at H. No. 200, G/F, Village Neb Serai, Mehrauli, New Delhi – 110068 in Khara No. 446 in the interest of rule of law and public safety;

D. Issue a writ of Mandamus, or any other appropriate writ, order, or direction, directing Respondent No. 5 to cease any construction or building work at H. No. 200, G/F, Village Neb Serai, Mehrauli, New Delhi – 110068 in Khasra No. 446;

E. Pass any other order or direction that this Hon'ble Court may deem necessary and appropriate in the facts and circumstances of the case.”

2. In the present writ petition, the petitioner has disclosed his address as *House No. 7, Khasra No. 69, Maidan Garhi Ext. Maidan Garhi, South Delhi , Delhi – 110068.*

3. Ms. Vrinda Bhandari, learned counsel for the petitioner, submits that the petitioner and his brother, who has been arrayed as respondent No. 5 in the present writ petition, both own a parcel of land in the same locality, being *Khasra No. 446, situated in the revenue estate of Village Neb Sarai, Mehrauli, New Delhi.*

4. At the outset, Ms. Bhandari stated that the memo of parties and the writ petition both proceed on the basis that the father of the petitioner and respondent No. 5 is deceased. However, she has just been instructed that he is, in fact, alive. Be that as it may, the petitioner, who is present in Court, states that the land in question, which is the subject matter of the present writ petition, is in the name of respondent No. 5.

5. The grievance of the petitioner is that the subject land is forest land, but, according to him, respondent No. 5 has constructed a building thereon. He has addressed a representation dated 04.08.2025, in addition to earlier representations, to the respondents – Government of National



Capital Territory of Delhi [“GNCTD”] and Delhi Development Authority [“DDA”], in this regard.

6. The petitioner’s locus to file such a writ petition is, in my view, doubtful. The only ground urged by Ms. Bhandari is that the petitioner also owns land in the same Khasra, which was sealed by the Municipal Corporation in 2014. A copy of an undated sealing order has been annexed as Annexure P-7 to the writ petition, which shows that the Municipal Corporation sealed the property on the ground that unauthorised construction was being carried out. The sealing, however, was not on any grounds relating to the character of the land as forest land.

7. The petitioner, therefore, does not, in any event, have *locus standi* to file a writ petition of this nature. The petitioner has no legal right, sufficient to form the basis for the issuance of a writ of *Mandamus*. The present writ petition is not filed as a Public Interest Litigation [“PIL”], and it does not concern any property other than that of the petitioner’s brother. It appears to be motivated by personal animosity rather than a broader legal grievance.

8. The writ petition, alongwith pending applications, is therefore dismissed.

9. It is made clear that this order will not come in the way of the respondents from taking any action in accordance with law regarding the construction in question, subject to compliance with all statutory formalities.

10. Although Ms. Bhandari is unable to state whether the petitioner wishes to proceed with a PIL, it is clarified that this order will not bar such proceedings if otherwise maintainable. However, in the event the



petitioner wishes to pursue any other proceedings concerning the subject land, he is directed to place the present writ petition and this order before the Court.

PRATEEK JALAN, J

SEPTEMBER 1, 2025

“Bhupi/sd”/