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

+ W.P.(C) 16996/2025

**CHINOT BASTI PREM NAGAR WELFARE ASSOCIATION
(REGD) & ANR.**

.....Petitioners

Through: Mr. Shiv Kumar Gautam and Mr.
Rohit Gupta, Advs. (Through VC)

versus

MUNICIPAL CORPORATION OF DELHI & ANR.Respondents

Through: Mr. Rohit Kathuria and Mr. Harshit
Sharma, Advs. for R-1
Mr. Manish Srivastava, Mr. Moksh
Arora and Mr. Santosh Ramdurg,
Advs. for R-2

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

10.11.2025

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1. The present writ petition has been filed seeking directions to the respondent no. 1 to take action against the illegal and unauthorized construction being carried out in the property bearing *No. A-803/2, Prem Nagar, Nabi Karim, Paharganj, New Delhi*.

2. There is further prayer for direction to the respondent no. 2, i.e., BSES Yamuna Power Limited, to not shift the electricity transformer, which is situated in front of the property bearing *No. A-803/2, Prem Nagar, Nabi Karim, Paharganj, New Delhi*, and not to make any attempt to re-install the same on public road in such manner, which might cause any kind of obstacle in the public way in the area.



3. Responding to the present writ petition, learned counsel appearing for respondent no. 1, i.e., Municipal Corporation of Delhi (“MCD”), submits that the property was inspected on 30th October, 2025 and the same has been booked for unauthorized construction on 30th October, 2025, itself. He submits that a Show Cause Notice dated 30th October, 2025 has also been issued.
4. He further submits that requisite action shall be taken against the unauthorized construction after following the due procedure.
5. Learned counsel appearing for respondent no. 2, i.e., BSES Yamuna Power Limited submits that no application has been received by respondent no. 2 for shifting of the transformer. He further submits that if any such application is received, decision shall be taken in accordance with law.
6. Considering the submissions made before this Court, it is directed that the MCD shall take requisite action against the unauthorized construction existing in the property in question after following the due procedure, in accordance with law.
7. Concerned Officials of the MCD, along with the Station House Officer (“SHO”), Police Station Nabi Karim, are directed to ensure that no further unauthorized construction takes place in the property in question.
8. Further, this Court takes note of the submission made by learned counsel appearing for respondent no. 2 that there is no application for shifting of the transformer, existing in front of the property bearing *No. A-803/2, Prem Nagar, Nabi Karim, Paharganj, New Delhi*. Needless to state, no such shifting of the transformer can be done by respondent no. 2, which may create any obstruction or hindrance to the right of way in the area in question.



9. In case, any party is aggrieved by any action or non-action on the party of the MCD, their right to seek remedies in accordance with law, is reserved.
10. Rights and contentions of the parties are left open, to be taken up in appropriate proceedings.
11. With the aforesaid directions, the present writ petition is accordingly, disposed of.

MINI PUSHKARNA, J

NOVEMBER 10, 2025/KR