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

+ **W.P.(C) 17707/2024**

MAHENDER KUMAR

.....Petitioner

Through: Mr. M. Arshyan, Advocate
(M:9810720041)

versus

**COMMISSIONER OF MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Mr. Vikas Chopra, SC-MCD with Mr.
Neeraj Kumar, Advocate
(M:9212036118)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

10.10.2025

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1. The present writ petition has been filed seeking directions to respondent nos. 1 to 3, to take appropriate action against respondent nos. 4 and 5 for unauthorized commercial use of the residential property bearing *No. 118, Gali Kandle Kasan, Fateh Puri, Delhi-110006*.

2. Status Report dated 11th March, 2025, has been filed on behalf of the Municipal Corporation of Delhi ("MCD"), relevant portions of which, are reproduced as under:

"XXX XXX XXX

3. That it is respectfully submitted that the property bearing No.118, Gali Kandle Kasan, Fatehpuri, Delhi-110002 was inspected by the officials of the Building Department, City



S.P. Zone on 20.12.2024 and during the inspection it has been found that the ground floor of the property is being used in violation of the provisions as contained under clause 15.6.2 of the MPD-2021. The respondent no.4 & 5 Sh. Vinod Kumar and Sh. Rajesh Kumar are running trades in the style of "Shop of Lens" & "Godown of Lens" respectively at the ground floor of the property which is on non-notified road of MPD-2021.

4. That it is submitted that proceedings against the misuse of the property/shops notices under section 345-A read with 347 of the DMC Act 1957 are being issued to Sh. Vinod Kumar & Sh. Rajesh Kumar/Owners/Occupiers and further action in the matter will be taken in due course as per DMC Act.
5. That further it is submitted that during the inspection no fresh construction activity in the property was noticed and the property is found to be old and occupied.

3. Learned counsel for the petitioner submits that the premises in question are being used for residential purposes and no commercial activity is being carried out. He, thus, submits that he is satisfied and does not wish to press the present writ petition any further.

4. Noting the aforesaid, the present writ petition, is disposed of.

MINI PUSHKARNA, J

OCTOBER 10, 2025/au