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

+ W.P.(C) 1285/2026 with CM APPL. 6303/2026 & CM APPL. 6304/2026

NITIN SAINI

.....Petitioner

Through: Mr. Himanshu Panwar, Advocate

versus

MUNICIPAL CORPORATION OF DELHI
AND ORS.

.....Respondents

Through: Mr. Kapil Dutta, Standing Counsel
for MCD

Mr. Manoj Kumar Tyagi, SPC for
R-3/Delhi Police

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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30.01.2026

1. The present writ petition has been filed seeking direction to the respondent no.1 to take appropriate action against the encroachment and illegal and unauthorised construction being carried out at *Plot no. Unknown, Gali No. 4, Saini Chowk, Village Shahbad, Mohamadpur, New Delhi-110061* and a further direction to demolish the aforesaid unauthorised construction.

2. Earlier, another writ petition was filed on behalf of the petitioner, being W.P.(C) 14380/2025, which was disposed of by this Court on 30th October, 2025 taking on record the status report filed on behalf of respondent/ MCD and directing that requisite action shall be taken by MCD



against the unauthorised construction after following due procedure.

3. Subsequently, the petitioner has also filed a contempt petition, being CONT. CAS. 1833/2025, alleging that the respondent has failed to act in terms of the aforesaid order passed by this Court on 30th October, 2025.

4. Notice has been issued in the aforesaid contempt petition and respondent/ MCD was directed to file a status report.

5. Mr. Kapil Dutta, standing counsel, appears on behalf of respondent/ MCD and assures the Court that the requisite action shall be taken against the unauthorised construction within two (2) weeks from today.

6. The respondent/ MCD shall also ensure that no further construction shall be carried out in the aforesaid property.

7. Taking into account the aforesaid statement made on behalf of MCD and also the fact that this Court is already seized of the aforesaid contempt petition filed by the petitioner, this Court does not deem it appropriate to entertain the present petition.

8. Accordingly, binding the respondent/ MCD to the aforesaid statement, the present petition stands disposed of.

9. The respondent no.3/ Delhi Police shall also ensure that no unauthorised construction is carried out in the aforesaid property.

10. Needless to state, all rights, contentions and legal remedies of the respondent no.2 shall remain protected.

AMIT BANSAL, J

JANUARY 30, 2026
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