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

+ **W.P.(C) 1691/2026**

SANJEEV GOYAL

.....Petitioner

Through: Mr. Aditya Saluja, Mr. Jatinder Kumar and Mr. Gurpreet Kaur, Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Mr. Kumar Shashwat Singh Sawno and Mr. Vishal Singh, Advocates for MCD.
Mr. A.K. Mishra, Advocate for R-4.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

06.02.2026

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1. The present writ petition has been filed seeking the following reliefs:

- A. Issue a writ of mandamus directing the respondent no.1 to 3 to immediately conduct a structural safety inspection of property bearing no. 5/199-A (including extensions from 5/199), Lalita Park, Laxmi Nagar, Delhi-110092 through a qualified structural engineer.
- B. Direct the respondent no.1 to 3 to forthwith execute and implement the demolition order dated 26.09.2008 (File No. 5002).
- C. Direct the respondent no.1 to 3 to take all necessary safety measures including evacuation, barricading and protection of adjoining properties.
- D. Call for a status report and fix accountability of erring officials.

2. Counsel appearing on behalf of the petitioner submits that the subject property has been constructed in an unauthorized manner. It is in violation



of the building bye-laws. It is further submitted that the said property is in a dangerous and dilapidated condition and tilting towards the petitioner's property. Photographs of the property bearing No.5/199, Lalita Park, Laxmi Nagar, Delhi-110092 (hereinafter the 'subject property') have been filed along with the present petition.

3. The petitioner claims to be a neighbour residing at House No.4/150, Lalita Park, Laxmi Nagar, District East, Delhi – 110092. However, no documents have been filed along with the petition to show the proof of residence of the petitioner or his daughter.

4. Even though the counsel for the petitioner submits that a demolition order has been passed by the respondent no.1/MCD against the aforesaid property, no such particulars have been given with the petition.

5. Mr. Shashwat, counsel appearing on behalf of the respondent no.1/MCD has handed over a status report on behalf of the respondent no.1/MCD.

5.1. The aforesaid status report is taken on record

6. In the status report, it has been stated as under:

6.1. The subject property has been inspected on 20th January, 2026 and the property is an old construction. No recent construction has been carried out in the subject property. It is further stated that the subject property in fact is not in a dangerous condition.

6.2. The respondent no.4, who is the owner of the subject property had filed an writ petition being W.P.(C) 14744/2024 seeking a direction to the respondent no.1/MCD to remove illegal construction in property bearing No.5/198, Lalita Park, Laxmi Nagar, Delhi – 110092, which belongs to the petitioner.



6.3. Pursuant to order dated 21st April, 2024 passed in the aforesaid writ petition, in CONT.CAS(C) 155/2025, the MCD filed a status report which recorded that appropriate sealing and demolition action has been taken against the aforesaid property of the petitioner.

7. Having heard the counsel for the parties, in the opinion of this Court, the present petition is completely devoid of merits. The petitioner has failed to place on record any title documents/proof of residence to show that the petitioner is directly affected by the alleged unauthorised construction being carried out in the subject property. Hence, the petitioner has not been able to establish his *locus* in pursuing the present petition.

8. Moreover, no fundamental right of the petitioner is affected. As per the status report handed over by counsel for the respondent no.1/MCD, the subject property is not in a dangerous condition. No cause of action arises in favour of the petitioner, particularly in view of the fact that no construction is presently being undertaken on the subject property and the existing structure on the subject property is an old construction.

9. Clearly, the petition has been filed with oblique motives, just to settle prior disputes between the petitioner and the respondent no.4 through the mechanism of statutory bodies, such as the MCD. The petition lacks any *bonafide* or public-spirited intent to address the issue raised therein.

10. Accordingly, the petition is dismissed with costs of Rs.25,000/- (Rs. Twenty Five Thousand Only) payable to Delhi High Court Bar Clerk's Association. The aforesaid costs shall be paid by the petitioner within a period of four (4) weeks from today.

AMIT BANSAL, J

FEBRUARY 6, 2026

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