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

+ **W.P.(C) 1990/2026 & CM APPL. 9683/2026**

NARESH KUMAR YADAV

.....Petitioner

Through: **Mr. Yugansh Mittal, Advocate.**

versus

MUNICIPAL CORPORATION OF DELHI

THROUGH ITS COMMISSIONER & ORS.

.....Respondents

Through: **Mr. Akarshan Bhardwaj, Advocate**
for MCD.

Ms. Prabhsahay Kaur, Standing
counsel with **Mr. Bir Inder Singh**
Gurm and **Mr. Kamlesh Pandey,**
Advocates for STF.

Mr. Medhanshu Tripathi, Mr. Tushar
Tokas, Mr. P. Tripathi and Ms.
Arvinder Kaur, Advocates for R-6 &
7.

Mr. Chiranjiv Kumar and Mr.
Mukesh Sachdeva, Advocates for R-
8/SHO

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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14.05.2026

1. The present writ petition has been filed seeking a direction to the respondents no.1, 8 and 9 to take action against the unauthorized construction being carried out by the respondents no.2 to 7 at property bearing *House no.13, Village Jogabai, Batla House, Jamia Nagar, Okhla, New Delhi 110025 admeasuring 510 square yards falling under Khasra no. 161* (hereinafter '*subject property*').



2. The petitioner has drawn attention of the Court to the order passed by this Court on 20th November, 2024 in W.P.(C) 3429/2024 titled ***Naresh Yadav vs. Municipal Corporation of Delhi & Ors.***, wherein MCD was directed to take action in accordance with law.
3. The grievance of the petitioner is that despite the aforesaid order having been passed, the respondents no.2 to 7 are still continuing with the unauthorized construction in the subject property.
4. A status report has been filed on behalf of the respondent no.1/ MCD wherein it is stated that demolition/ sealing order has been passed against the subject property. Further, demolition action has also been taken on various dates.
5. *Vide* order dated 12th February, 2026, on account of an objection by private respondents with regard to locus of the petitioner to file the present writ petition, the petitioner was directed to file an affidavit giving particulars of ownership of the subject property along with documents in support within two (2) weeks from the said date.
6. No such affidavit has been filed on behalf of the petitioner.
7. Mr. Yugansh Mittal, counsel appearing on behalf of the petitioner, submits that the aforesaid affidavit could not be filed as he did not receive any instructions from the petitioner.
8. Counsel for the private respondents submits that another writ petition being W.P.(C) 13636/2025 was filed on behalf of the petitioner wherein a different address has been given by the petitioner. The said address as given in W.P.(C) 13636/2025 is set out below:

*“R-43, Khirki Extension,
Malviya Nagar,*



New Delhi-110017”

9. The said writ petition was disposed of by this Court on 19th September, 2025 noting that the petitioner stays 15 kilometres away from the subject property in the said petition. The requisite action had already been taken by the MCD in the said matter and the said writ petition was disposed of.

10. Subsequently, a contempt petition was filed by the petitioner being CONT.CAS(C) 1804/2025 wherein the petitioner was directed to file an affidavit *vide* order dated 27th November, 2025. The relevant extracts from the said order are set out below:

“9. In the meantime, the petitioner shall file an affidavit before the next date of hearing on the following aspects:-

- (i) details of his occupation and education;*
- (ii) source of his income & earnings with copies of bank accounts maintained by him for the last one year;*
- (iii) information be furnished regarding the number of petitions that have been filed by the petitioner in the past in any Court of Law in the nature of Public Interest Litigations [“PIL”] or otherwise, and furnish information as to in how many matters he has withdrawn prosecution or has settled the matters with the opponent parties, which as per him, raised or intended to raise/carry out unauthorised construction and/or encroachment on any public land;*
- (iv) the distance between the house of the petitioner and the house in which unauthorized construction is alleged;*
- (v) to disclose whether there is any unauthorized construction in the house of the petitioner and whether the construction of house of the petitioner is as per the sanctioned plan; and*
- (vi) whether the petitioner has any dispute with the respondent party who is alleged to be raising or interested in raising alleged unauthorized construction.”*

11. In view of the submissions noted above and taking into account the status report filed by the respondent no.1/ MCD, the present writ petition is



disposed of.

12. The MCD and the respondent no.8/SHO, P.S. Jamia Nagar shall continue to take action in terms of what is stated in the status report.

13. All rights, contentions and legal remedies of private respondents no.2 to 7 are kept open.

14. Taking into account that the petitioner has given different address in the present petition as given in W.P.(C) 13636/2025 and the petitioner has failed to file an affidavit in terms of the order passed by this Court on 12th February, 2026, costs of Rs.50,000/- are imposed on the petitioner to be paid to the Delhi High Court Legal Services Committee (DHCLSC).

15. Pending application stands disposed of.

AMIT BANSAL, J

MAY 14, 2026

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