



\$~12

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

+ **W.P.(C) 2384/2026 & CM APPL. 11597/2026**

**SANJEEV GOEL**

.....Petitioner

Through: Mr. Deepak Mahajan, Mr. Vikas Maini, Mr. Ankit Banati, Mr. Prashant Srivastav, Ms. Sanchita Sehgal, Advs.

versus

**MUNICIPAL CORPORATION OF DELHI  
& ORS.**

.....Respondents

Through: Mr. Sanjay Vashishtha, Mr. Siddhartha Goswami, Mr. Krish Bhatia, Advs.  
Mr. Kartik Sharma and Mr. Anubhav Gupta, Advs. for R-2, 4  
Mr. Shekhar Nanavaty, Advocate for R-3.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER**

%

**15.05.2026**

1. The present writ petition has been filed alleging unauthorised encroachment as well as construction carried out by the private respondent no.3 and accordingly to issue directions to MCD to demolish the said unauthorised encroachment/construction in the common area and passages of the apartment complex namely 'New Arohi Cooperative Group Housing Society Limited' (CGHS) situated at *Sector-12, Plot No. 13, Dwarka, New Delhi-110078* (hereinafter 'Society').



2. The petitioner is residing in *Flat No. D-310* of the Society. The private respondent no.2 is the neighbour of the petitioner who resides in *Flat No. D-311* of the society.
3. It is stated that the private respondent no.2 has made constructions like false ceilings, cabinets, cupboards etc. in the common passage of the apartment and around the fire safety equipment, thereby restricting the free and unconditional access to the fire safety equipment. Further, as a result of such illegal constructions, the petitioner is facing constraints in accessing the lift.
4. On the last date of hearing, it was noted that the said Society falls under the jurisdiction of the Delhi Development Authority (DDA) and not the Municipal Corporation of Delhi (MCD). Accordingly, the respondent/DDA was directed to file status report/counter-affidavit.
5. Counter-affidavit is stated to have been filed on behalf of the respondent no.1/DDA.
  - 5.1. However, the same is not on record.
  - 5.2. A copy of the same has been handed over in Court today and the same is taken on record.
6. In the counter-affidavit, it is stated as under:
  - i. Unauthorized construction of wooden cabinet/cupboard in the common lift lobby in front of *Flat No.D-311* of Society was noted.
  - ii. A show-cause notice was issued on 16<sup>th</sup> March, 2026 to the private respondent no.2, who is the owner/occupier of the aforesaid *Flat No.D-311*.
  - iii. Pursuant to a personal hearing, a sealing cum demolition order was passed on 11<sup>th</sup> May, 2026, which has been filed along with the



counter-affidavit. In terms of the said order, a direction has been issued to remove unauthorised construction within 7 to 15 days, failing which the same would be removed by DDA.

7. In view thereof, the present writ petition is disposed of while directing the respondent no.1/DDA to take action in accordance with what is stated in the counter-affidavit and in accordance with law.

8. Liberty is given to the petitioner to initiate appropriate proceedings in law in the event any further grievance survives.

9. All rights, contentions and legal remedies of the owner/occupier/private respondent no.2 are kept open.

**AMIT BANSAL, J**

**MAY 15, 2026**

*Rzu*