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

CM APPL. 30151/2026, CM APPL. 30152/2026 & CM APPL.
30153/2026

IN

+ W.P.(C) 2704/2026

SHRI RIKKY GUPTA & ANR.Petitioners

Through: Ms. Ananya Singh, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI
& ORS.

.....Respondents

Through: Mr. Kapil Dutta, Standing Counsel
for MCD with Ms. Vidhi Jain,
Advocate for MCD.

Mr. Tushar Sannu & Mr. Parvin
Bansal, Advocates for DJB.

Mr. Sushil Kulshreshtha/R-4 in
person with Er. R.D. Gupta and Er.
Salil Kumar.

Mr. Y.R. Sharma, Mr. Navesh and
Mr. Ujjwal Goel, Advocates for
applicant in CM APPL. 30151/2026
& CM APPL. 30152/2026.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

05.05.2026

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CM APPL. 30151/2026

1. For the reasons stated in the application, the application is allowed and the applicant is impleaded as party in the present writ petition.
2. The application is disposed of accordingly.



CM APPL. 30152/2026 & CM APPL. 30153/2026

3. Both the aforesaid applications have been filed for restoration of the water tanks.
4. Pursuant to the order passed by this Court on 26th February, 2026, the respondent-MCD carried out an encroachment removal programme on 27th April, 2026 and five (5) water tanks have been removed from the common lane of Flats no.51A and 51B, *Gangotri Enclave*.
5. On behalf of the MCD, it is submitted that water tanks that were removed were obstructing the common passage area. Per contra, the applicants submit the said water tanks were placed next to their house and did not create obstruction to the common passage.
6. After hearing submissions of the parties, it is deemed appropriate that the owners of the five (5) water tanks, which have been removed by the MCD, in consultation with the RWA shall propose fresh sites where the aforesaid tanks can be restored so that they do not obstruct the common passage area.
7. Thereupon, the parties shall inform the respondent-MCD who shall inspect the proposed sites to determine the suitability of the sites in consonance with the Office Order published by the MCD for 'Additions/alterations in the flats constructed/allotted by Delhi Development Authority' and ensure that the water tanks do not obstruct the common passage in any manner.
8. Parties are at liberty to move an application to the respondent-MCD for release of the water tanks that have been removed by the MCD.
9. Accordingly, the applications stand disposed of with the aforesaid directions.



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10. In view of the directions passed above, the present writ petition is disposed of.

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

AMIT BANSAL, J

MAY 5, 2026

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