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

+ **CONT.CAS(C) 424/2026**

RAJENDER LOHIYA @ RAJENDER CHOUDHARY.....Petitioner

Through: Mr. Kuldeep Naagar, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Mr. Abhinav Singh, Mr. Shantanu Patel and Mr. Rishab Mittal, Advocates for R1, R2 and R3.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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17.03.2026

CM APPL.16375/2026 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The present petition has been filed by the petitioner alleging wilful disobedience/non-compliance with the directions contained in the order dated 08.10.2025 passed by this Court in W.P.(C)3535/2025. The operative directions therein are as under:

“7. Accordingly, the MCD is enjoined to ensure that no further unauthorized construction takes place on the land in question. Any further action required to be taken against the existing unauthorized construction shall also be taken.

8. Further, the Station House Officer (“SHO”) of Police Station Fatehpur Beri, shall also ensure that no further unauthorized construction takes place on the land in question and that due assistance is given to the MCD, as and when any action is required to be taken.”

4. The petitioner contends that the aforesaid directions have not been



complied with. In fact, the subsisting unauthorised construction has not been removed, rather, fresh unauthorised construction has been carried out on the land/area in question.

5. Issue notice.

6. Mr. Abhinav Singh, learned counsel, accepts notice on behalf of the respondent no. 1/MCD. He is also directed to accept notice on behalf of respondent no(s). 2 and 3.

7. He submits that the demolition action is scheduled to be undertaken on 27.03.2026. He assures and undertakes that the entire existing unauthorised construction shall be demolished. Further, if any unauthorised construction is ongoing, the same shall be put to an immediate halt. The said statement is taken on record.

8. The concerned SHO is directed to render appropriate assistance to enable the MCD to carry out the demolition action.

9. No further orders are required to be passed in the present petition and the same is, accordingly, disposed of.

10. In case there is any deficiency in the action taken by the respondents, the petitioner is entitled to revive the present petition or to file afresh.

11. Let a compliance affidavit be filed within a period of 4 weeks from today.

12. The present petition stands disposed of in the above terms.

SACHIN DATTA, J

MARCH 17, 2026/at