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

+ **W.P.(C) 3500/2026**

SHRI KAMAL SHARMAPetitioner

Through: **Mr. Vikram Baweja, Advocate.**

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: **Mr. Akhil Mittal, Ms. Shayna Das
Pattanayak and Ms. Riddhi Jain,
Advocates for MCD.**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **19.03.2026**

1. The present writ petition has been filed seeking a direction to the respondent/ MCD to lower the height of the service lane (shown in red colour in the site plan filed along with the petition) running from property no. *D-13 to D-8, Shubham Enclave, Paschim Vihar, New Delhi-110063*.
2. The grievance of the petitioner is that the area is prone to back flow of rain water from the service lane to the basements of the aforesaid properties.
3. Earlier, the petitioner had filed a civil suit seeking the same relief, which was withdrawn by the petitioner with liberty to file a fresh suit. However, instead of filing a fresh suit, the petitioner has chosen to file the present writ petition.
4. Mr. Akhil Mittal, counsel appearing on behalf of the respondent/ MCD on advance notice, submits that the service lane is being constructed



taking into account the requirements of the area. He further submits that the petitioner is also causing obstruction in the construction of the service lane whereas no other resident has objected to the said construction.

5. In these circumstances, this Court is not inclined to exercise its power under Article 226 of the Constitution of India to grant the relief sought by the petitioner.

6. Accordingly, the present writ petition is dismissed.

AMIT BANSAL, J

MARCH 19, 2026

Vivek/-