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

+ **W.P.(C) 4453/2026 & CM APPL. 21785/2026**

**MOHAN SINGH MARKET AUTOMOBILE WORKSHOP  
WELFARE ASSOCIATION** .....Petitioner

Through: Mr. K. Venkatraman and  
Mr. Avinash, Advocates

versus

**UNION OF INDIA & ORS.** .....Respondents

Through: Mr. Vishwa Pal Singh, CGSC with  
Mr. Srikanth Singh, Mr. Mukesh  
Kumar, Mr. Srajan S. Kulshrestha and  
Mr. Anurag Pandey, Advocates along  
with Ms. Disha Choudhary, G.P., ASI  
Rajender Singh, P.S. Kotla  
Mubarakpur for R-1, R-3, R-4 and  
R-5  
Mr. Aditya Bharat Manubarwala and  
Ms. Charvi Virmani, Advocates for  
MCD

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

**ORDER**  
**29.04.2026**

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1. The present writ petition has been filed seeking the following reliefs:-



- a) Issue an appropriate writ, order or direction, including a writ in the nature of Mandamus, directing the Respondent no. 2 to immediately remove the illegal and unauthorized encroachments made by scrap dealers, ice sellers and other persons from the front-to-rear aisle and market gate of Mohan Singh Market, INA.
- b) Issue direction to the respondent no. 2 to restore the front-to-rear aisle, inner carriageway and market gate area to their original condition strictly in accordance with the sanctioned and approved layout plan issued by the Land & Development Department and maintain the same.
- c) Issue direction to the respondent no.3 to prevent any future encroachment, hawking, squatting or unauthorized commercial activity in the designated Non-Hawking Zone within the market premises.

2. Along with the petition, photographs have been filed to show the encroachments in the INA Market.

3. Attention of the Court has been drawn to a communication dated 23<sup>rd</sup> March, 2025, sent by the respondent no.1 to the respondent no.2/MCD. For ease of reference, the said communication is set out below:-



To  
The Deputy Commissioner  
Central Zone MCD  
G-1, Shiv Mandir Marg, Block G,  
Lajpat Nagar I, Jal Vihar, New Delhi – 110024

**Subject :- Removal of unauthorised encroachment at INA Mohan Singh Market front & rear aisle gate.**

Sir,

I am to refer to Mohan Singh Market Automobile Workshop Welfare Association's representation on the subject cited above (copy enclosed) and to say that the front & rear aisle gate at INA Mohan Singh Market is illegally encroached by a scrap dealer (Kabari) & ice seller attaches (photograph).

Unauthorised occupancy in this area is violation of Hon'ble Supreme Court Orders and Delhi High Court's Judgement dated 03.07.2017 in W.P.(C) No. 2556/2015 (copy enclosed) which clearly says Hawker, Squatters are not allowed at non Hawking Zone. It is therefore, requested to take immediate action to removal of unauthorised occupancy, under intimation of this Directorate. Also, it is mentioned here that MCD may give direction to their officials to conduct regular eviction drive in that area with the coordination of Local Police, so that such incident could not be happened in future.

Encl: As stated above

Yours faithfully,

(Kiran Pal)

Dy. Director of Estates(O&M)  
Tel No.23061021

4. Counsel appearing on behalf of the respondent no.2/MCD on advance notice submits that MCD shall inspect the subject area and take appropriate action in accordance with law.
5. Accordingly, the present petition is disposed of while directing the respondent no.2/MCD to inspect the subject area and take prompt action against any unlawful encroachment in the subject area in accordance with law.

**AMIT BANSAL, J**

**APRIL 29, 2026**

**ds**