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

+ **W.P.(C) 5048/2026 & CM APPL. 24801/2026**

KISHMAT ALI

.....Petitioner

Through: None.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS**

.....Respondents

Through: Mr. Abhinav Singh, Standing Counsel
for MCD with Ms. Prapti Jain,
Advocate for MCD.
Ms. Deeksha L. Kakar, Mr. Rashneet
Singh & Ms. Sana Parveen,
Advocates for DDA.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
16.04.2026

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

“a) Issue appropriate writ, order or direction thereby directing the respondent no. 1 to 3 to initiate stern legal action against the respondent no. 4 & 5 and restrain the respondent no. 4 & 5 from carrying out illegal and unauthorised construction in the said property i.e PROPERTY C TYPE, THREE SIDE OPEN, SITUATED AT MASJID ROAD, MAIN MARKET, SAMOSA CHOWK, MADANPUR KHADAR EXTENSION, NEAR BISMILLAH HOTEL, NEW DELHI, 110076

b) Direct the respondents no.1, 2 and 3 to demolish the illegal and unlawful existing structure of the building which was illegally constructed by the respondent no. 4 & 5 and seal the said property i.e. PROPERTY C TYPE, THREE SIDE OPEN, SITUATED AT MASJID ROAD, MAIN MARKET, SAMOSA CHOWK, MADANPUR KHADAR EXTENSION, NEAR BISMILLAH HOTEL, NEW DELHI, 110076.”



2. None appeared on behalf of the petitioner when the matter was called first. None appears on behalf of the petitioner even on the second call.
3. Counsel appearing on behalf of the respondent/ MCD, on advance notice, submits that the petitioner does not have a locus to file the present writ petition, as the petitioner resides more than half a kilometre away from the subject property. In any case, it is submitted that the subject property has already been booked by the respondent/MCD on 8th April, 2026. Further, a work stop notice dated 8th April, 2026 has also been issued to SHO, P.S.: Kalindi Kunj.
4. Counsel for the respondent/MCD has handed over the show cause notice dated 8th April, 2026 issued to the owner/occupier of the subject property and the work stop notice dated 8th April 2026.
 - 4.1. The same are taken on record.
5. In view thereof, the present writ petition is disposed of, while directing the respondent/MCD to take appropriate action, in accordance with law.
6. Pending application(s) stand disposed of.
7. All rights, contentions and legal remedies of the owner/occupier/private respondent shall remain protected.

AMIT BANSAL, J

APRIL 16, 2026
at