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

+ **CONT.CAS(C) 649/2026**

RAMESH BANSWAL AND ANR

.....Petitioners

Through: Mr. Anshul Gupta, Mr. Jaskaran Singh, Advs.

versus

SHRI SANJEEV KHIRWAR, MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Ashutosh Gupta (ASC) along with Mr. Arman P. Monga, Ms. Priya Sharma, Advs. for MCD

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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17.04.2026

CM APPL.25231/2026 (Exemption)

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

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3. The present petition has been filed by the petitioners alleging wilful disobedience/non-compliance of the directions contained in the order dated 27.02.2026 passed by this Court in W.P.(C) 2829/2026. The said order reads as under:-

"1. The present writ petition has been filed seeking a direction to the respondent/MCD to take immediate action to remove encroachment and demolish the illegal and unauthorized structure raised on plot bearing no.D25 (300 sq. yards) and D-26 (200 sq. yards) Shree Chand Park, Matiala Gaon Village Matiala, New Delhi-110059.

2. It is the case of the petitioners that the petitioners have made complaint/representation with respondent/MCD on 9th February, 2026. However, no action has been taken.

3. Counsel appears on behalf of the respondent/MCD on advance notice and submits that encroachment removal action has been fixed by the respondent/MCD on 9th March, 2026.

4. In view thereof, the present writ petition is disposed of while directing the



respondent/ MCD to take action against the unlawful encroachment in accordance with law.

5. The concerned SHO shall provide sufficient police protection to the respondent/MCD for carrying out the aforesaid action.

6. Needless to state, all rights and contentions of the parties are kept open.”

4. It is emphasised that in terms of the aforesaid order, the Municipal Corporation of Delhi (MCD) was directed to take action against the unlawful encroachment referred to by the petitioners.

5. It is contended that the MCD has failed to carry out timely demolition action. Further, even the belated action taken by the MCD is cosmetic in nature and the unauthorised construction/encroachment has not been removed.

6. Learned counsel for the respondent/ MCD, who appears on advance notice, submits that the necessary demolition action shall be taken latest within a period of three weeks from today. It is assured and undertaken that the action shall be taken in all respects; it will not be cosmetic or superficial in nature and shall be taken to its logical conclusion, after following all applicable procedural requirements. The said statement is taken on record.

7. In view of the aforesaid, no further orders are required to be passed in the present petition. The same is, accordingly, disposed of.

8. Let a compliance affidavit be filed by the MCD within a period of six weeks from today.

9. List for reporting compliance on 30.07.2026.

SACHIN DATTA, J

APRIL 17, 2026/uk