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

+ **W.P.(C) 5317/2026 & CM APPL. 26017/2026**

SHRI R.D. MALIK

.....Petitioner

Through: Mr. Uma Aggarwal and Mr. Pulkit Aggarwal, Advocates

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Ms. Aarushi Tikku, Advocate for R-1 and R-2
Mr. Niraj Kumar, Senior Central Government Counsel with Mr. Chaitanya Kumar, Advocate for respondents/ Delhi Police/ P.S. Rajinder Nagar
SI Yogesh Poonia, P.S. Rajinder Nagar, Delhi
Mr. Abhishek Seth, SPC with Ms. Widaphi Lyngdoh, Advocate for R-3

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

28.04.2026

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1. The present writ petition has been filed seeking a direction to the respondent-MCD to forthwith stop the unauthorised construction being carried out by the private respondent no.4 at property no.R-499, *Pamposh Road, New Rajinder Nagar, New Delhi* (hereinafter 'subject property').
2. The petitioner, who resides in *R-497, Pamposh Road, New Rajinder*



Nagar, New Delhi, claims to be the next-door neighbour. It is stated that ongoing construction is causing damage to the petitioner's property. Along with the petition, the petitioner has attached photographs showing ongoing construction in the subject property.

3. It is also stated that despite multiple complaints and representations made by the petitioner to the respondents no.1 to 3, the said respondents have failed to take appropriate steps to stop the said unauthorised and illegal construction.

4. Notice was issued by this Court on 21st April, 2026.

5. Status report has been handed over on behalf of respondent-MCD in Court today and the same is taken on record.

6. The following averments have been made in the said status report:

i. The building plan for the subject property was sanctioned on 11th January, 2025 for construction of stilt, ground floor, first floor, second floor and third floor.

ii. Upon inspection, it was found that there is deviation/ excess coverage on various floors. Accordingly, a show cause notice was issued on 23rd March, 2026. A reply to the said show cause notice was received.

iii. Another show cause notice dated 24th April, 2026 has been issued in respect of unauthorised construction in the shape of fourth floor.

7. Ms. Aarushi Tikku, counsel appearing for respondent-MCD, further submits that a work stop notice shall be issued to the private respondent no.4 during the course of the day.

8. Taking note of the aforesaid submissions and the status report, the



present writ petition is disposed of while directing respondent-MCD to take action in accordance with law.

9. In the event the petitioner has any further grievance with regard to unauthorised construction, he is at liberty to take appropriate remedies in accordance with law.

10. All rights and contentions of the private respondent no.4/ owner/ occupier are kept open.

AMIT BANSAL, J

APRIL 28, 2026

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