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

+ W.P.(C) 5404/2026

NARESH KHORWAL

.....Petitioner

Through: Mr. Yogesh Sharma and Ms. Pratima
Ravi, Advocates

versus

MUNICIPAL CORPORATION OF DELHI

THROUGH ITS COMMISSIONER & ORS.Respondents

Through: Mr. Kapil Dutta, Advocate for MCD

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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22.04.2026

1. This writ petition has been filed seeking direction to respondent no.1/MCD to take action against the unauthorised construction being raised by respondent no.2 and 3 at the property bearing No.65/79, New Rohtak Road, Karol Bagh, New Delhi-110005 ('subject property'), which is next to the property of the petitioner.
2. Earlier the petitioner had approached this Court by way of a writ petition, being W.P.(C) 985/2026, which was disposed of by this Court *vide* order dated 23rd January, 2026 by taking into account the statement made on behalf of MCD that the construction is being carried out at the subject property in accordance with the sanction plan.
3. The petitioner has sent a representation to MCD on 20th March, 2026 pointing out various deviations in the construction being carried out by respondent no.2.



4. Mr. Kapil Dutta, standing counsel appearing on behalf of MCD on advance notice, submits that the subject property was inspected and there was some encroachment on the rear setback of the property which has been booked today.

4.1 Accordingly, the respondent-MCD shall take appropriate action in accordance with law.

5. A fresh inspection shall be carried out by the respondent-MCD in respect of the subject property in order to determine whether, besides the encroachment on rear setback which has already been booked by the MCD, there is any other unauthorised construction, as pointed out by the petitioner in its representation dated 26th March, 2026.

6. In the event any further unauthorised construction is found, the respondent-MCD shall take appropriate action in accordance with law.

7. All rights, contentions and legal remedies of the private respondents are kept open.

8. Liberty is given to the petitioner to take appropriate remedies as per law in the event the petitioner has further grievance.

9. The writ petition is disposed of in the aforesaid terms.

AMIT BANSAL, J

APRIL 22, 2026
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