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

+ **W.P.(C) 5635/2026 & CM APPL. 27694/2026**

ANITA SHARMA

.....Petitioner

Through: **Mr. Girish Kumar, Advocate.**

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: **Mr. B.C. Tyagi, Mr. Mohit Sharma
and Ms. Muskan Verma, Advocates
for R-2 and R-3.**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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27.04.2026

1. The present writ petition has been filed seeking a direction to respondent no.1/MCD to remove unauthorised construction raised by the respondents no.2 and 3 at the property bearing No. *J-11, ad measuring 100 Sq. yds. Arya Samaj Road, Uttam Nagar, New Delhi-110059* (hereinafter 'subject property')
2. Mr. Ashutosh Gupta, counsel appearing on behalf of the respondent no.1/MCD raises a preliminary objection with regard to the maintainability of the present writ petition, stating that the petitioner resides far away from the subject property.
3. In the memo of parties, the address given by the petitioner is *J-41, Arya Samaj Road, Uttam Nagar, New Delhi-110059*, whereas the address of



the respondents no.2 and 3 is *J-11, ad measuring 100 Sq. yds. Arya Samaj Road, Uttam Nagar, New Delhi-110059*. It appears that the petitioner resides about 30 houses away from the subject property. Nothing has been stated in the writ petition as to how the petitioner is aggrieved by the construction being carried out in the subject property.

4. Nevertheless, Mr. Gupta submits that the subject property has been booked and after following due process of law, a demolition order has been passed on 9th January, 2026. He submits that earlier attempts to carry out demolition were not successful and now the demolition action has been fixed for 5th May, 2026.

5. In light of the aforesaid, this Court is not inclined to entertain the present petition. The respondent no.1/MCD shall take appropriate action in respect of the subject property in accordance with law. The concerned SHO shall provide the necessary police force for the proposed demolition action fixed for 5th May, 2026.

6. Pending application also stands disposed of.

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

8. It is clarified that no rights have accrued in favour of the petitioner by this order.

AMIT BANSAL, J

APRIL 27, 2026

Vivek/-