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

+ **CONT.CAS(C) 692/2026**

ASHOK KUMAR YADAVPetitioner

Through: Appearance not given.

versus

INSPECTOR SHAILENDER SINGHRespondent

Through: Mr. Dhananjai Rana, CGSC.

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+ **W.P.(C) 425/2025**

ASHOK KUMAR YADAVPetitioner

Through: Ms. Beenashaw N Soni, Standing
Counsel, MCD with Ms. Ann Joseph,
Adv. (M: 9810046611)
Mr. Abhinav Sharma, Adv. (M:
9810382091)

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Mr. Anand Jindal and Ms. Mansi
Jindal, Advs. for applicant
Insp Shailender Singh.
Mr. Manish Kaushik, Adv. for
Applicant.
Mr. Dhananjai Rana, CGSC for
Respondent No. 3/Delhi Police

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+ **CONT.CAS(C) 757/2026**

ASHOK KUMAR YADAVPetitioner

Through: Appearance not given.

versus

SANJEEV KHIRWAR, COMMISSIONER, MUNICIPAL



CORPORATION OF DELHI AND ANRRespondents
Through: Appearance not given.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

ORDER

% **29.04.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 28801/2026 in CONT.CAS(C) 757/2026

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

CONT.CAS(C) 692/2026 & CONT.CAS(C) 757/2026

3. **CONT.CAS(C) 757/2026** is a contempt petition filed by the Petitioner under Sections 11 and 12 read with Section 2(B) of the Contempt of Courts Act, 1971 seeking implementation of the order dated 17th January, 2026 passed by this Court in **W.P.(C) 425/2025**.

4. **CONT.CAS(C) 692/2026** is a contempt petition filed by the Petitioner under Sections 11 and 12 read with Section 2(B) of the Contempt of Courts Act, 1971 seeking implementation of the orders dated 11th March 2025, 8th September, 2025, 20th November, 2025, 18th December, 2025 and 17th January, 2026 passed by this Court in **W.P.(C) 425/2025**.

5. The present case relates to the Samaypur Badli area where there was unauthorised encroachment by certain shopkeepers and unauthorised vendors were also blocking the road.

6. In respect of the same, in **W.P.(C) 425/2025** vide order dated 17th January, 2026, it was directed as under:

“ 5. Today, the Applicants have been heard in this matter. The grievance of the Applicants is that while the order of the Court dated 11th March, 2025, as



also the subsequent order dated 18th December, 2025, was primarily directed towards illegal encroachments by vendors on public spaces, the PWD has conducted a demarcation last week and has issued notice dated 15th January, 2026 to the Applicants for demolition to be carried out on 19th January, 2026.

6. Mr. Jain, Id. Senior Counsel, appearing for the Applicants has placed some photographs on record, as per which a number of homes are likely to be demolished in the area, since, as per the demarcation report, the measurement of the road is being increased beyond the existing road.

7. Further, on behalf of some of the Applicants, it is submitted that they have sale deeds of their respective properties, which date back to more than 30-40 years and some of the Applicants are also stated to be paying house tax on their properties.

8. Id. Counsel for the PWD and MCD are present as well. As per Mr. Sharma, Id. Counsel for the PWD, pursuant to the orders of this Court which have directed action against unauthorised construction and encroachment, a demarcation exercise has been carried out in the last one month. Pursuant to the demarcation, PWD has issued notice dated 15th January, 2026 to the Applicants and various other parties, for removal of the unauthorised encroachment and unauthorised construction.

9. On behalf of the Petitioner, it is submitted that all these Applicants have made unauthorised construction on public land and the right of way of the local residents ought to be protected. Hence, such construction/encroachments deserve to be demolished.

10. After hearing Id. Counsels for all parties,



it becomes clear that the demarcation exercise is of a recent nature and the notice has only been issued on 15th January, 2026.

11. Accordingly, it is directed that the PWD shall examine the present applications and in respect of each of the Applicants, the PWD shall give its stand in the form of a table.

12. In addition, the PWD shall also place on record the recent demarcation report prepared by it by the next date of hearing as part of their status report.

13. Until the next date of hearing, no demolition shall be undertaken of the structures which are already built in the form of homes/shops belonging to the Applicants. However, any unauthorised vendors or hawkers etc. shall not be permitted to vend by the PWD or MCD.

14. If there is any unauthorised encroachment, apart from the constructed premises of the Applicants, in the form of extension of shops/homes on the drain or on public roads, etc., all such encroachments shall be removed.

15. Let copies of any documents of title or ownership, which the Applicants are relying upon, including their respective sale deeds, be supplied to Mr. Sharma, Id. Counsel for PWD by Monday morning, i.e. 19th January, 2026.”

7. As can be seen from the above order, the Court had directed that apart from the constructed premises, the extensions of shops and homes on the drains as also on the public road shall be removed. In addition, a direction was issued to the Public Works Department (hereinafter, ‘PWD’) and the Municipal Corporation of Delhi (hereinafter, ‘MCD’) to ensure that no



unauthorised vendor or hawker is permitted to vend in the said area. It is implementation of these directions that is sought in these contempt petitions.

8. The MCD is stated to have filed a status report dated 28th April, 2026 which has been handed over today wherein it is stated as under:-

“2. That in furtherance of the earlier report, in order to remove the temporary encroachment/vendors from the railway station Samaypur Badli to G.T. Road, encroachment removal action was fixed on 22.04.2026 & 27.04.2026. A letter dt. 10.04.2026 was issued to SHO P.S. Samaypur Badli for providing adequate Police Force/Outer Force to remove the temporary encroachment at Railway Road, Samaypur Badli. Copy of the letter is enclosed herewith as "Annexure A". During temporary encroachment removal action various articles seized, the list of the articles is enclosed herewith as "Annexure B". The photographs taken during encroachment removal action are enclosed herewith as "Annexure C Colly". After encroachment removal action, the letter dt. 22.04.2026 written to SHO P.S. Samaypur Badli to keep strict vigil of the area. Copy of letter is enclosed herewith as "Annexure D".

3. That further action was fixed on 27.04.2026 and removed the temporary encroachment, rehri, board, Leigh machine, two cycles etc. The list of the seized articles is enclosed herewith as "Annexure E". The photographs taken during encroachment removal action are enclosed herewith as "Annexure F Colly". After taking action, letter dt. 27.04.2026 was written to SHO P.S. Samaypur Badli to keep strict vigil of the area, clear from temporary encroachment. Copy of the letter is enclosed herewith as "Annexure G”.



That it is pertinent to mention here that during the encroachment drive, it is noticed that the owners of the shops create an encroachment by placing their goods in front of their shops and also allow other vendors to sell their articles in front of their shops. Whenever raid team starts an temporary encroachment removal drive, the owners of the shops keeps their goods in their shops and after drive again they allow the vendors to encroach upon footpath. The department is under process to issue notices to the owners of the shops for temporary encroachments by themselves as well as allowing other vendors in front of their shops.”

9. The Court has also seen the photographs which are attached with the status report handed over by the MCD which show that certain demolition and removal of encroachment drives have been conducted by the MCD in the said area.

10. The grievance of the Petitioner is that certain vegetable vendors and other persons, who encroach the road and footpath, continue to come back at their respective sites once the encroachment drives are concluded by the officials of the MCD.

11. Ld. Counsel for the Petitioners also emphasizes that the status report filed by the Delhi Police clearly shows that there is a difficulty being faced even by the police officials as the vendors, who are removed by the police officials, come back to vend though the same is a ‘no vending zone’.

12. Heard. Firstly, the process of removal of unauthorised vendors and hawkers is a continuous process and in the opinion of this Court, considering the status report filed by the MCD, it cannot be said that there is contempt of the various orders passed by this Court, as action is being taken by the MCD.



13. Nevertheless, it is emphasized again that there has to be continuous drives undertaken by the authorities for removal of unauthorised encroachments and unauthorised vendors/hawkers in the area. It is made clear that SHO P.S. Samaypur Badli would be personally responsible to ensure that the vendors who are removed by the MCD do not come back and start vending, that too by creating traffic jams in the area. The photographs which have been placed on record by the Petitioner show that there is blocking of traffic on the road due to such unauthorised vending. Samaypur Badli being a 'no vending zone' as per the MCD itself, vending is not permissible in the said area.

14. At this stage, Ms. Soni, Id. Counsel for the MCD has highlighted that shopkeepers have themselves allowed the vendors and hawkers to sit in front of their shops.

15. In order to make removal of the unauthorised vendors effective, it is now directed that if any shopkeeper has given permission to any unauthorised vendor or hawker, the shop of the said shopkeeper will be permitted to be sealed by the MCD.

16. In addition, the SHO P.S. Samaypur Badli shall ensure that the beat constable of the said area undertakes regular supervision in order to remove any unauthorised vendors including vegetable vendors and fruit vendors.

17. With these observations, the contempt petitions are disposed of. Pending applications, if any, are disposed of.

CM APPL. 80029/2025, CM APPL. 3275/2026, CM APPL. 3378/2026, CM APPL. 4641/2026 , CM APPL. 6425/2026 (Impleadment) in W.P.(C) 425/2025

18. All the shopkeepers/residents who have filed these applications are all



permitted to intervene in this matter.

19. However, they need not be made parties in the present petition as the same would cause further delay. The applications are disposed of in these terms.

W.P.(C) 425/2025 & CM APPL. 13457/2026, CM APPL. 3276/2026, CM APPL. 3379/2026, CM APPL. 4640/2026, CM APPL. 6426/2026 & CM APPL. 13426/2026

20. Let an updated status report be filed by the SHO P.S. Samaypur Badli and by the MCD by the next date of hearing.

21. The demarcation report is stated to have been filed by the PWD which is not on record.

22. Let the status reports filed by the MCD, PWD and SHO P.S. Samaypur Badli be brought on record by the next date of hearing. Delay in filing the same, if any, is condoned.

23. In respect of the status report filed by the PWD, the shopkeepers who are represented by the clients of Mr. Ashish Jain, Id. Counsel, are free to file their response along with any video which they wish to rely upon by the next date of hearing.

24. Let responsible officials of the PWD and MCD remain physically present on the next date of hearing in order to assist the Court.

25. List for hearing on 10th August, 2026.

26. Interim order(s), if any, shall continue subject to above directions.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

APRIL 29, 2026/ys/ck