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

+ **W.P.(C) 6078/2026**

PUNEET KASHYAP

.....Petitioner

Through: **Mr. Rohan Sharma, Advocate.**

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: **Mr. M.S. Oberoi, Advocate for R-1
and R-2.**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

05.05.2026

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1. The present writ petition has been filed seeking the following reliefs:

- a) Issue a writ, order or directions in the nature of Mandamus directing Respondent Nos. 1 and 2 to immediately inspect property bearing No. D-142, Saket, New Delhi, particularly the portions under the control / occupation / use of the private respondents;
- b) Issue a writ, order or directions in the nature of Mandamus directing Respondent Nos. 1 and 2 to inspect and report on whether the subject premises are being used in violation of municipal sanitation and public health norms, including accumulation of rubbish, discharge of waste water, smoke/fire hazard, and nuisance affecting adjoining residents;
- c) Issue a writ, order or directions in the nature of Mandamus directing Respondent No. 3 to ensure that no smoking, burning of material, dumping of waste, obstruction of common access, threat, intimidation or other nuisance-creating activity is permitted at the site."



- d) Issue a writ, order or directions in the nature of Mandamus directing Respondent Nos. 3 and 4 to ensure immediate protection of the Petitioner and his family, including ensuring that no threat, intimidation, unlawful obstruction, nuisance, disorderly conduct, smoking/fire hazard, or excessive pressure is caused by the private respondents, their laborers, agents or any person acting at their instigation;
- e) Issue a writ, order or directions in the nature of Mandamus directing Respondent Nos. 1 and 2 to verify and place on record the complete municipal record, including any sanctioned building plan, permission, approval, booking, inspection report, if any, in respect of the construction / renovation / structural alteration / redevelopment activity being carried out at property bearing No. D-142, Saket, New Delhi;
- f) Issue a writ, order or directions in the nature of Mandamus directing Respondent Nos. 1 and 2 to immediately stop all illegal and unauthorized construction / structural alteration / redevelopment activity, if found to be without sanction or beyond sanction, and to take action in accordance with law, including under the relevant provisions of the Delhi Municipal Corporation Act, 1957;
- g) Pass an interim order directing immediate maintenance of status quo with respect to further construction / structural alteration / redevelopment activity at the subject property during the pendency of the present petition.

2. Counsel for the petitioner submits that the petitioner resides on the second floor of the subject property and is being affected by unlawful storage of garbage by the respondent no.5/ owner/ occupier in the floors below.

3. Mr. M.S. Oberoi, counsel appearing on behalf of respondent-MCD submits that the respondent no.5/ owner/ occupier is carrying out renovation activities on the ground and first floor of the subject property for which no sanction is required.



4. Mr. Oberoi further submits on instructions that the officials of the MCD shall regularly inspect the subject property so as to ensure no garbage/ rubbish is kept in the subject property.
5. Accordingly, the writ petition is disposed of while directing the respondent-MCD to ensure that no garbage is kept in the subject property. In the event garbage/rubbish is found, the respondent no.5/ owner/ occupier shall be *challaned*.
6. A further direction is passed restraining the respondent no.5 from putting any garbage/ rubbish in the subject property. It is also directed that the respondent no.5 shall not harass the petitioner or his family members in any manner.
7. The respondent no.3/ SHO, P.S. Saket shall ensure that no harassment is caused to the petitioner on account of the ongoing construction work being carried out by respondent no.5 in the subject property.
8. A copy of this order be sent to the respondent no.3/ SHO, P.S. Saket.

AMIT BANSAL, J

MAY 5, 2026

Vivek/-