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

+ **W.P.(C) 7365/2026**

AJAY MITTAL

.....Petitioner

Through: Petitioner in person.

versus

PUBLIC WORKS DEPARTMENT & ANR.

.....Respondents

Through: Mr. Raghvendra Upadhyay, Panel Counsel (GNCTD), Ms. Purnima Jain, Ms. Shivpa Taneja, Mr. Madhur, Advocates for R-1.
Mr. Sagar Shivam Jaiswal, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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25.05.2026

CM APPL. 35894/2026 (for exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 7365/2026

1. The instant petition is for the following reliefs:-

“(i) Issue writ of mandamus or any other appropriate writ or directions to the Respondent No.1 to take time bound strict action against the Respondent no.2 in respect of installing a Channel Gate and box like structure outside is Shop bearing address Shop no. 3, Ground Floor, H. No. 103, Pocket F-22, Sector-3, Rohini, Delhi-110085 illegally and unauthorizedly on the Public Utility Land, thereby demolishing the unauthorized and illegal encroachment/ construction;



(ii) Issue directions to the Respondents No.1 to act as per law in a time-bound manner upon the representations/complaints given by the Petitioner qua the unauthorized Channel Gate and box-like structure installed outside his shop bearing Shop no. 3, Ground Floor, H. No. 103, Pocket F-22, Sector-3, Rohini, Delhi-110085 of the Petitioner;

(iii) Take necessary action on the erring officials who directly helped the Respondent No.2 to carry out illegal activities for the reasons best known to them;

(iv) Pass any other necessary/appropriate directions in the matter as the Hon'ble Court may deem fit and proper in the interest of justice."

2. The petitioner seems to be aggrieved by the alleged illegal installation of channel gate by respondent no.2. According to the petitioner, he is the owner of property bearing address Shop No. 2, Ground Floor, H. No. 103, Pocket F-22, Sector-3, Rohini, Delhi-110085. The shop adjoining his property is owned by respondent no.2, which has obstructed and hindered the side view of the petitioner's shop.

3. The dispute involved herein *prima facie* seems to be private in nature. If the petitioner is aggrieved by the aforesaid act, he will have to take appropriate remedy in accordance with law.

4. The Court, however, directs that if the channel gate has been installed on the public road, the Public Works Department (*'PWD'*) is also under an obligation to do the needful.

5. Let the PWD to first verify the facts as to whether the petitioner or the respondent no.2 have encroached public land or otherwise. If that be so, the said department shall be at liberty to take appropriate recourse in accordance with law.

6. Let the PWD to do the needful within a period of three weeks from the date of receipt of copy of this order. It shall also be at liberty to inspect the petitioner's property as well.



7. Needless to state that if the grievance of the petitioner is not fully mitigated, he shall be at liberty to take appropriate recourse in accordance with law.
8. With these observations and liberty, the instant petition stands disposed of.
9. Order *dasti*.

PURUSHAINDRA KUMAR KAURAV, J

MAY 25, 2026

Nc