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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6216/2024 & CM APPL. 48100/2024**

SH. MADESH

.....Petitioner

Through: **Ms. Ayushi Jain, Advocate.**

versus

SPL. C.P. TRAFFIC AND ORS

.....Respondents

Through: **Ms. Avshreya Pratap Singh Rudy,**
CGSC with Ms. Usha Jamnal, Ms.
Nyasa Sharma, Mr. Ankit Khatri,
Advocates.
Mr. Varun Chandio, Mr. Alok
Kumar, Ms. Anubhi Goyal,
Advocates for MCD.
Mr. Raghvendra Upadhyay, Panel
Counsel (GNCTD), Ms. Shivpa
Taneja, Ms. Purnima Jain, Mr.
Madhur, Advocates for R-4.
SI Harender Kumar, Traffic Ashok
Vihar Circle traffic Police.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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15.04.2026

(The matter has been taken up today, as 14.04.2026 was declared as a holiday on account of birthday of Dr. B.R. Ambedkar.)

1. The instant petition has been filed seeking following reliefs:

"> Issue a Writ of Mandamus directing die respondents to take immediate and effective measures to remove all illegally parked vehicles obstructing the main road namely Chaudhary Gulab Singh Marg and KC



Goyal Marg, Ashok Vihar Delhi.

> Issue a Writ of Certiorari quashing the unauthorized constructions and encroachments on public property by Mehta Motors and others car dealer in Ashok Vihar Delhi.

> Issue a Writ of Prohibition restraining all car dealers in Ashok Vihar from further encroachments and violations of law. Or direct them to not parked there vehicle permanently on the main roads.

> Grant interim relief in the form of immediate removal of illegally parked vehicles and restoration of public property pending final adjudication. Or remove all vehicles from the main road of Ashok Vihar Delhi.

> Pass such other order(s) or direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

2. The Court almost under same circumstances in W.P.(C) 15145/2025 titled ***Panchsheel Enclave Resident Welfare Association VS. Union of India and Ors*** vide order dated 13.04.2026 directed the concerned jurisdictional magistrate to look into the petitioner's grievance.

3. In the instant case as well, what transpires is the alleged public nuisance of parking vehicles obstructing the main road namely Chaudhary Gulab Singh Marg and KC Goyal Marg, Ashok Vihar, Delhi. Additionally, if there is any encroachment by any individual, even this aspect can be looked into by the jurisdictional magistrate.

4. The Court thus finds it necessary to dispose of the instant writ petition with liberty to the petitioner to approach the jurisdictional magistrate under Section 152 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

5. If the petitioner does so, let the concerned jurisdictional magistrate to deal with the petitioner's grievance with due expedition.

6. It be noted that if the directions are to be issued to the Municipal Corporation of Delhi (MCD), let that aspect be also looked into by the concerned jurisdictional magistrate. The MCD is bound by the directions of the concerned juridical magistrate (North West Delhi).



7. With these observations, the instant petition along with pending application stands disposed of.

PURUSHAINDRA KUMAR KAURAV, J

APRIL 15, 2026/SH