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

+ **W.P.(C) 7778/2026 & CM APPL. 37738/2026**

MAMTA TYAGI

.....Petitioner

Through: Mr. Ompal Singh, Mr. Geet Kumar
and Mr. Lalit, Advocates.

versus

**MUNICIPAL CORPORATION OF DELHI &
ORS.**

.....Respondents

Through: Mr. Sanjay Vashishtha, Mr.
Siddhartha Goswami, Mr. Krish
Bhatia and Mr. Aditya Sachdeva,
Advocates for MCD.
Mr. Siddharth Khatana, Advocate for
R-3 and R-5/Delhi Police.
Mr. Sunil Kumar, Advocate for R-4
(through VC)

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

29.05.2026

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1. The present writ petition has been filed seeking a direction to the respondent/MCD to demolish the unauthorised construction raised by the land mafia over the property bearing *Khasra No.46/24/I, 2, 3 Village Salempur Majra, Burari, Delhi-110084* (hereinafter 'subject property').
2. The petitioner claims to have a share in the subject property and a civil suit has also been filed by the petitioner seeking declaration, cancellation, permanent and mandatory injunction in respect of the subject property.



3. In the opinion of this Court, till the time the ownership of the petitioner is decided, the petitioner is not entitled to file the present writ petition under Article 226 of the Constitution of India, in respect of the subject property.
4. Accordingly, the present writ petition is disposed of while directing the respondent/MCD to inspect the subject property and take appropriate action in law, in the event any unauthorised construction is found to be carried out.
5. The aforesaid directions will not create any equities in favour of the petitioner.
6. Pending application stands closed.
7. All rights, contentions and legal remedies of the owner/occupier shall remain protected.

AMIT BANSAL, J

MAY 29, 2026

Vivek/-