



\$~20

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 6508/2020, CM APPL. 22818/2020, CM APPL.
22819/2020,
CM APPL. 24578/2020, CM APPL. 43293/2025 & CM APPL.
43294/2025
MD. ATAUR REHAMANPetitioner

Through: Mr. M.M Kashyap, Mr. Usman Khan
& Ms. Swati Jaiswal, Advs.
versus

DDA & ANR.Respondents

Through: Ms. Cauveri Birbal, Mr. Kushank, Ms.
Nishtha Dhall, Mr. Kamendu Pandey,
Ms. Preksha Gaur, Advs.
Ms. Beenashaw N. Soni, Standing
Counsel, MCD.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
08.04.2026

%

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:

“a) issue direction to the respondents to take steps to stop the construction of concrete wall from street No 1 to Street No.18, Shastri Park, Delhi-110053;

b) To give direction to the officers of respondents Nol. to leave a gate of 20 to 25 feet wide in between street No.1 to street No.18 for entry and exist purposes in case of emergencies of fire.”

2. Mr. Kashyap, learned counsel for the petitioner, states that due to



construction of the wall, the residents of the area feel that the emergency services such as fire brigade, ambulance will take a considerable time in cases of any emergency situation. Hence, he states that a gate needs to be constructed somewhere in the middle of the wall for facilitating the access of such necessary services.

3. Ms. Birbal, learned counsel for the respondent No. 1, has filed an affidavit and states that the wall has been constructed for a purpose as the safety and security of the residents also needs to be ensured.

4. Additionally at both ends of the wall, the passage is open and is about 8 meters in width which gives considerable passage to emergency service entering and exiting the colony.

5. I am of the view that this Court does not have the expertise or knowledge and in any case, the respondent No. 1 is the best authority to decide if a gate is required or not.

6. The respondent No. 1 is the competent and concerned authority to decide the time that it would take a fire brigade/ambulance to access the colony.

7. In this view of the matter, the respondent No. 1 shall take an overall view in the matter, keeping the above said observations as well as the safety of the residents in mind.

8. The Annexure-B of the additional documents filed on behalf of the respondent No. 1 shows that on both sides of the wall, there is huge garbage being dumped.

9. Ms. Soni, learned standing counsel for Municipal Corporation of Delhi (**“MCD”**) has been requestd to appear in the matter and direction is issued to MCD to ensure that the garbage is removed and no open dustbins as shown



are permitted to be kept, so that the cleanliness of the locality can be ensured.

10. The MCD will file a status report and give every three month status report to Mr. Kashyap, as well as Ms. Birbal, who in case of the garbage not being removed will be entitled to bring it to the notice of the Court.

11. The decision by the respondent No. 1 shall be taken expeditiously and not later than four weeks from today.

12. With these directions, the petition is disposed of.

JASMEET SINGH, J

APRIL 8, 2026/NG