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

+ **W.P.(C) 7840/2026, CM APPL. 37999/2026 & CM APPL. 38000/2026**

SACHIN KUMAR

.....Petitioner

Through: Mr. Nishant, Advocate (*through VC*)

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Mr. Rohit Kathuria and Ms. Nikita Dubey, Advocates for MCD.

Mr. Subodh Kumar Kaushik, SPC with Ms. Chhaya Sharma, Advocate for R-6/SHO, PS: Jyoti Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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29.05.2026

CM APPL. 38000/2026

1. Allowed, subject to all just exceptions.

W.P.(C) 7840/2026

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

- a) Issue an appropriate writ, order or direction in the nature of Mandamus directing Respondent No. 1 to 4 to conduct an immediate inspection of property bearing No. D-21, East Jyoti Nagar, Delhi-110093 and take appropriate action against the illegal and unauthorized construction being carried out therein in accordance with the provisions of the Delhi Municipal Corporation Act, 1957 and the Unified Building Bye-Laws.



- b) Issue an appropriate writ, order or direction directing the Respondent authorities to stop the ongoing illegal construction at the aforesaid property and to initiate demolition proceedings against the unauthorized construction under Section 343 of the Delhi Municipal Corporation Act, 1957.
- c) Issue an appropriate writ, order or direction directing the Respondent authorities to seal the premises and prevent further construction activities under Section 345A of the Delhi Municipal Corporation Act, 1957.
- d) Issue an appropriate writ, order or direction directing the Respondent authorities to remove and seal the illegal borewell and submersible pump installed at the aforesaid property and prevent further illegal extraction of groundwater in violation of environmental and municipal laws.
- e) Direct the concerned MCD authorities to place on record the latest photographs of the existing structure along with the sanctioned building plan of Property No. D-21, East Jyoti Nagar, Delhi, for verification of unauthorized construction and deviations.
- f) Issue an appropriate writ, order or direction directing the Respondent authorities to take necessary action for restoration and protection of the environment including protection of greenery and trees affected due to the illegal activities carried out at the said property.
- g) Issue an appropriate writ, order or direction directing the Respondent authorities to take action on the complaint filed by the Petitioner before the Special Task Force (STF) constituted for monitoring unauthorized construction in Delhi and to place the action taken report before this Hon'ble Court.



- h) Issue an appropriate writ, order or direction directing the Respondent authorities to fix responsibility and initiate disciplinary proceedings against the concerned municipal officials who failed to take action despite receiving written complaints from the Petitioner.
- i) Issue an appropriate writ, order or direction directing the Respondent authorities to file a detailed status report before this Hon'ble Court regarding the action taken against the illegal construction and unlawful activities at the aforesaid property.

3. Mr. Rohit Kathuria, counsel appearing on behalf of the respondent/MCD, submits that earlier a petition seeking identical reliefs, being W.P.(C) 5246/2026, was also filed by the petitioner, which was dismissed *vide* order dated 20th April, 2026.

4. The petitioner has not disclosed the filing of the said writ petition or the dismissal order in the present writ petition.

5. The said writ petition was dismissed on 20th April, 2026 while making the following observations:

4. Counsel appearing on behalf of the respondent/MCD, on advance notice, submits that the petitioner does not have the locus to file the present writ petition as the petitioner resides more than 3 km away from the subject property as per the address given in the Aadhar Card of the petitioner filed along with the petition.

5. It is further submitted that the construction on the subject property is pursuant to a duly approved sanctioned plan.

6. Counsel for the respondent no.7/Delhi Jal Board ('DJB'), on advance notice, submits that no notice/complaint has been sent by the petitioner to the DJB with regard to unauthorized usage of the ground water.

6. In the present writ petition also, the petitioner has filed the same



Aadhar Card which gives his address as *5/184, Mandoli Extension, Nand Nagri, Delhi - 110093*.

7. Counsel for the petitioner submits that he also resides at *H.No.8/62, Kailash Colony, East Jyoti Nagar, New Delhi-110093*, the address given in the memo of parties. However, nothing has been filed to show that the petitioner resides at the said address.

8. The aforesaid order, passed on 20th April, 2026, also records the fact that the construction on the subject property is pursuant to a duly sanctioned plan.

9. In view of the aforesaid, this Court is not inclined to entertain the present writ petition and the same is dismissed.

10. Pending application stands closed.

AMIT BANSAL, J

MAY 29, 2026

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