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

+ W.P.(C) 5810/2025 with CM APPL. 26459/2025, CM APPL. 45954/2025 and CM APPL. 61809/2025

**RESIDENTS WELFARE ASSOCIATION THROUGH ITS
SECRETARY AND ANR**

.....Petitioners

Through: Mr. Praveen Aggarwal, Mr. Insaaf
Duggal and Mr. Rahul Gujral,
Advocates.

versus

**MUNICIPAL COROPRATION OF DELHI THROUGH ITS
COMMISSIONER AND ORS**

.....Respondents

Through: Mr. Dhruv Tamta and
Mr. Nishchay Dutt, Advocates for
R-1.

Mr. Amit Singh Chauhan, Mr. Udit
Chauhan and Mr. Ahmad Kamaal,
Advocates for R-2.

Mr. Ajjay Aroraa, Sr. Advocate with
Mr. Arush Kapoor and Mr. Vansh
Luthra, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

25.02.2026

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1. The present writ petition has been filed for directions to the respondents to take appropriate action against the unlawful and unauthorised business of inflammable and hazardous goods being carried out by the residents in the Stilt Parking and Basement at *Wazir Nagar, Kotla Mubarakpur, Pedestrian Street, New Delhi*, in violation of the various provisions of the Master Plan of Delhi ('MPD'), 2021, the Delhi Municipal



Corporation ('DMC') Act, 1957 and Delhi Development Authority ('DDA') Act, 1957.

2. Subsequently, an application for impleadment was filed on behalf of Kotla Mubarakpur Timber Merchants Welfare Association.

3. In the order passed by the Predecessor Bench on 26th September, 2025, it was directed that any action to be taken by respondent-MCD shall be after giving hearing to all the affected persons, including the members of the applicant association. Paragraphs 6 to 10 of the said order are set out below:-

"6. Accordingly, it is directed that before any action is taken by the MCD, opportunity of hearing shall be granted by the MCD to the respective persons, whose notices have been attached as Annexure A with the present application.

7. At this stage, learned Senior Counsel appearing for the applicant Association submits that on account of the festival season, it would not be possible for the concerned members of the applicant Association to immediately appear before the MCD for hearing. He, thus, submits that the said persons be allowed to appear before the concerned officials of the MCD after the festival season, i.e., after Diwali.

8. Accordingly, the applicants are directed to appear before the Deputy Commissioner, Central Zone, MCD, on 28th October, 2025, at 11.00 A.M.

9. It is further directed that till the said members of the applicant Association are granted hearing, no coercive action shall be taken against them.

10. It is further directed that further action shall be taken by the MCD only after grant of hearing to the afore-noted members and subject to the outcome of the hearing before the concerned officials of the MCD."

4. Pursuant to the said order, a status report has been filed on behalf of the respondent-MCD on 24th February, 2026.

5. A copy of the same has been handed over in Court today and the same is taken on record. Paragraphs 4 and 5 of the status report are set out below:-



- “4. That, in compliance with the principles of natural justice, an opportunity of personal hearing was duly afforded to all the concerned shop owners, and accordingly, the hearings were conducted on 28.10.2025, 26.11.2025 and 17.12.2025.*
- 5. That the hearing proceedings were concluded on 17.12.2025, and all the cases were thereafter reserved for the issuance of speaking orders. The submissions made and documents produced by the applicants shall be duly examined, and the requisite speaking orders shall be passed expeditiously in accordance with law.”*
6. From a perusal of the status report, it is evident that MCD has granted an opportunity of personal hearing to all the concerned shop owners, which was concluded on 17th December, 2025. Now, the MCD is required to pass a speaking order in respect of all the aforesaid shop owner, including the 23 shops that are listed in the writ petition.
7. In view thereof, the present writ petition is disposed of while directing respondent-MCD to pass a speaking order in an expeditious manner not later than six (6) weeks from today.
8. Copy of the speaking orders passed by the respondent-MCD shall be provided to the petitioner association.
9. Based on the speaking order, the MCD shall proceed in accordance with law.
10. All rights, contentions and legal remedies of all the aggrieved parties are kept open.

AMIT BANSAL, J

FEBRUARY 25, 2026

Vivek/-