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

\# **CNR No. DLHC010479952026**

\+ W.P.(C) 14757/2026

RAJENDRA SINGH .....Petitioner

Through: Counsel(Appearance not given)

versus

MUNICIPAL CORPORATION OF DELHI & ORS. .....Respondents

Through: Mr. Sunil Goyal, ASC for MCD with Ms. Deepa Rathore and Ms. Tanveet Kaur, Advs. (M-9801156767)
Mr. Abhinav Singh, Mr. Pearl Khurana and Mr. Rishab Mittal, Advs. (M- 9811188892)
Ms. Prabhsahay Kaur, Standing Counsel for DDA and Mr. Kamlendu Pandey, Adv. (M-8766393585**)**
Mr. Niraj Kumar, Sr. Central Govt. Counsel for Delhi Police (M-9810020341)

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

O R D E R

% 05.10.2026

1. By virtue of the present petition under *Articles 226* of the Constitution of India, the petitioner seeks the following reliefs:-

> *"a) direct Respondent No.1 to forthwith remove all unauthorized vehicles from, and permanently restore, the common open space situated in front of Flat No. 3A, Pocket*

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D/2, Kondli, MayurViharPhase-III, Delhi-110096;

b) direct Respondent No.1 to install barriers, signage, or such other preventive measures as maybe necessary to prevent re-encroachment of the said space and to keep it permanently accessible for the Petitioner's use;

c) direct Respondent no.1 to construct an accessible, paved footpath within the said common open space, demarcated from any parking or vehicular area, in accordance with the applicable accessibility standards under the RPwD Act, 2016;

d) direct Respondent no.3 to independently adjudicate the Petitioner's complaints on merits in exercise of its statutory powers under the RPwD Act, 2016 rather than merely forwarding the same;

e) pass such other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

2. At the outset, learned counsel for the respondent nos.1 and 2 submits that since the subject property is in a gated society, the MCD has no role to play and that the dispute sought to be raised by the petitioner by way of the present petition is within the domain of the RWA.

3. As per the assertions made herein as also based on the material on record, this Court observes that the same are arising of private grievance(s) the petitioner has against two individual owners of Flat nos.3A and 3B, specifically regarding parking of their two vehicles. The same involve disputed question of facts, and are largely of a civil nature. Thus, this hardly is a reason calling for any interference of the present petition.

4. Considering the aforesaid, learned counsel for petitioner seeks to withdraw the present petition with liberty to seek appropriate remedies in

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accordance with law, if, as and when required.

5. As such, the present petition is dismissed as withdrawn with liberty as prayed for.

SAURABH BANERJEE, J

OCTOBER 5, 2026/rr

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