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

\# **CNR No. DLHC010492922026**

\+ W.P.(C) 15113/2026, CM APPL. 71020/2026, CM APPL. 71021/2026

NILABH RANJAN .....Petitioner

Through: Mr. Ajit Kumar, Mr. Saurav Kumar Mr. Utkarsh Kumar Singh, Mr. Abhinav Kumar Srivastava, Advs. (9795792528)

versus

MUNICIPAL CORPORATION OF DELHI .....Respondent

Through: Mr. Anand Prakash, SC with Ms. Varsha Arya, Adv. for MCD (7830449807)

CORAM:
HON'BLE MR. JUSTICE SAURABH BANERJEE

O R D E R

% 12.10.2026

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

> *"a) issue a writ of mandamus or any other appropriate writ, order or direction to the Respondents, their officers, agents and employees, restraining them from taking any coercive action, including demolition, sealing, vacation or any other precipitative step, against the Petitioner's premises; and/or*
>
> *b) direct that no action against the said premises be taken by the Respondents without first issuing a show cause notice,*

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affording a personal hearing and passing a reasoned order in accordance with Section 343 of the DMC Act; and/or"

2. Considering it is the own case of the petitioner that he *"... ... is lawful Co-owner of DDA built duplex Flat No. 88, Second and Third Floor, Pocket-B, Cat. SFS-III, along with Car Garage No. 25-C, Sheikh Sarai Phase-I, New Delhi-110 017 ("the said Flat"), measuring 145.58 sq. mtrs... ..."* and that *"... ...the first floor of the same building, bearing No. B-87 is a separate residential unit belonging to a different person and is in no manner connected with the Petitioners' title or possession. The Petitioner is strangers to that unit and to its occupant, Sh. Kishan Pal Sing.. ...."*, the present petition is *per se* not maintainable inasmuch as the order dated 01.09.2026 passed by the learned ATMCD in A.No.490/2024, on which, the petitioner herein is relying/ piggybacking upon, relates to property bearing No. B-87. More so, it is also an admitted position that there has been no action taken by the MCD *qua* his property.

3. Based thereon, learned counsel for the petitioner seeks to withdraw the present petition with liberty to seek appropriate remedies in accordance with law, if as and when so required.

4. The present petition, alongwith pending applications, is dismissed as withdrawn with liberty as prayed for.

SAURABH BANERJEE, J

OCTOBER 12, 2026/Ab

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