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

+ W.P.(C) 14114/2025, CM APPL. 57828/2025, CM APPL. 57829/2025 & CM APPL. 74049/2025

KAMAL KUMAR KASHYAP

.....Petitioner

Through:

versus

MUNICIPAL CORPORATION OF DELHI
& ORS.

.....Respondents

Through: Ms. Deepika Kumari, Advocate for
R-1/MCD (*through* VC).
Mr. Akash Vajpai and Ms. Vaibhavi
Mittal, Advocate for R-3.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
02.04.2026

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1. The present writ petition has been filed seeking directions to respondent no.1/Municipal Corporation of Delhi ('MCD'), to demolish the unauthorised construction as well as encroachment on public road over common passage, as carried out by respondent no.3. The petitioner further seeks directions to respondent no.3 to repair damaged main wall of the Flat No. B-402, MIG Flats, East of Loni Road, Shahdara, Delhi-110093, which has purportedly been damaged by respondent no.3.

2. Status report has been filed on behalf of the respondent-MCD wherein it is stated that there is both encroachment as well as unauthorised construction on the subject property. It is further stated that a wall having a width of 1.20 meters alongside the outer wall of the flat covered with grill



has been created. Photographs have been filed along with the status report showing the encroachment as well as unauthorised construction of a wall.

3. Counsel appearing on behalf of the respondent-MCD submits that a demolition notice has been issued on 10th March, 2026 after giving personal hearing to the respondent no.3.

3.1. She further submits that demolition action has been planned for 16th April, 2026.

4. Counsel appearing on behalf of the respondent no.3 submits that after receiving the demolition notice, the respondent no.3 has removed the encroachment which was in the shape of plants and pots.

5. In view thereof, the present writ petition is disposed of while directing the respondent-MCD to verify the current position of the subject property with regard to encroachment as well as unauthorised construction.

6. In the event encroachment or unauthorised construction is found in the subject property, the respondent-MCD shall take action as planned for 16th April, 2026.

7. All rights, contentions and legal remedies of respondent no.3 are kept open.

8. Liberty is given to the petitioner to take appropriate remedies as per law in the event the petitioner has further grievance.

9. All pending applications stand disposed of.

AMIT BANSAL, J

APRIL 2, 2026

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