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

+ **W.P.(C) 19381/2025 & CM APPL. 80830/2025**

**MOHAN ESTATE WELFARE
ASSOCIATION**

.....Petitioner

Through: Mr. Apoorv Kurup, Sr.
Advocate with Mr. J.P. Pathak
& Mr. Shailendra Verma, Advs.

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Mr. R.K. Dhawan, SC with
Ms. Nisha Dhawan, Mr. Pawan
Karan Deo & Mr. V.K. Teng,
Advs. for DDA
Mr. Abhigyan, Adv. for R2
Mr. Indra Marla, Adv.
Mr. Tushar Sannu, Ms. Pulak
Gupta Joshi along with Mr.
Bhargava, AC and Ankush
Tanwar from RP Cell, MCD

**CORAM:
HON'BLE MR. JUSTICE ANIL KSHETARPAL
HON'BLE MR. JUSTICE AMIT MAHAJAN**

ORDER

% **11.05.2026**

1. Through the present petition, the Petitioner seeks the following reliefs:

“(a) Quash the E-Tender Notice bearing No. AC/RPC/MCD/2025/D-607 dated 11.07.2025 issued by respondent qua the Mohan Cooperative Industrial Estate;

(b) Quash the Offer Letter No. AC/RPC/MCD/2025/D-991 date 06.10.2025 (NIT No. 607 dated 14.07.2025) and possession letter bearing no. AO/RPC/MCD/2025/D-1038, dated 14.10.2025, issued by Respondent No.1 (MCD) in favor of Respondent No.6 Mr.



Abhay Kumar Singh qua parking sites at Mohan Cooperative Industrial Estate, Mathura Road, New Delhi (the mentioned letter dated 06.10.2025 (NIT No. 607 dated 14.07.2025 is not in possession of the Petitioner);

(c) Quash any other tender, offer letter or allotment letter if any, emanating from E-Tender Notice bearing No. AC/RPC/MCD/2025/D-607 dated 11.07.2025 issued by respondent no.1 qua Mohan Cooperative Industrial Estate, New Delhi;

(d) Issue a writ of mandamus or any other similar writ, order or direction restraining the Respondent from imposing/levying any parking charges, in respect of properties located in Mohan Cooperative Industrial Estate, Mathura Road, New Delhi in the garb of the illegal E-Tender Notice issued by Respondent No.1/ MCD;

(e) Issue an appropriate writ, order, or direction to set aside the subsequent or other subsequent proceedings initiated by the respondent no.1/ MCD;

(f) Issue a writ of Mandamus whereby restraining the respondent no.1/ MCD to issue any other tender for allotment of parking sites within the area of MCIE, New Delhi in future;

(g) Pass such other or further order(s) which this Hon'ble Court deems fit and proper in the facts and circumstances of the case, for which act of kindness the petitioner as is duty bound shall ever pray."

2. The Petitioner is a Welfare Association comprising of numerous stakeholders and lessees/owners of properties located with the vicinity of Mohan Co-operative Industrial Estate ('MCEI'). The Association is essentially aggrieved by imposition/levying of parking charges in the area by Respondent No.1/ Municipal Corporation of Delhi ('MCD'). The Petitioner has thus impugned the tender floated by MCD for allotment of authorized surface parking sites in the area on monthly license fee basis in two bid system.

3. It is the case of the Petitioner that the area of Mohan Co-operative Industrial Estate was never taken over by the MCD, and it does have any jurisdiction to take any action in the area of MCIE. It is argued that although hefty parking charges are being collected, MCD



has not been providing any basic facilities/ amenities or maintaining the area of MCEI as MCD claims that the services of MCEI have not being transferred to it. It is further argued that the members of the Petitioner Association have no objection in paying the parking charges if MCD maintains the streets in the area.

4. On being asked to clarify the stand of MCD in this regard, the learned counsel for MCD submits that Delhi State Industrial and Infrastructure Development Corporation Limited ('DSIIDC') has categorically averred in its counter affidavit that the area of MCEI is outside its purview and the said area falls under the jurisdiction of MCD in terms Section 298 of the Delhi Municipal Corporation Act, 1957, which provides that public streets vest in the Corporation.

5. He also places reliance on the case of ***Delhi State Industrial & Infrastructure Development Corporation Ltd v. South Delhi Municipal Corporation: W.P.(C) No. 1473/2019*** where the Hon'ble Lieutenant Governor was requested to resolve the dispute between the parties regarding collection of parking charges by MCD from DSIIDC managed Industrial Areas, and it was ultimately settled that parking charges will be collected by MCD and 30% of the revenue of the site(s) will be shared with DSIIDC. He submits that MCD would thus have the jurisdiction to collect parking charges even if the area fell under DSIIDC.

6. He further submits that MCD has been operating the subject parking site through its contractors for around 20 years.

7. Considering the categorical stand of MCD that the subject area vests in the Corporation as well as the fact that MCD has been operating the subject parking site for a significant amount of time, this Court is not inclined to interfere in the tender floated by MCD in



relation to allotment of parking sites in MCEI.

8. Insofar as the issue of MCD not maintaining the concerned area is concerned, it is pointed out that another writ petition filed by the Petitioner is pending in this respect. Even otherwise, the said issue constitutes as a separate cause, and the same falls outside the limited remit of the present petition.

9. Hence, the present petition is dismissed. Pending application also stands disposed of.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

MAY 11, 2026

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