

02.09.2026

Present : Sh. Purshkar Aryal, Ld. counsel for plaintiff through VC.
Plaintiff in person.
Sh. Dinesh Dahiya, Ld. counsel for defendant no. 1 with
defendant no. 1.
Ms. Vasu Singh, Ld. counsel for defendant no. 4/MCD through
VC.
Sh. Prince Kumar, Ld. proxy counsel for defendant no. 4/MCD.

Fresh vakalatnama is filed on behalf of defendant no. 1. It shall be taken on record.

An application under Section 151 of CPC filed on behalf of defendant no. 4/MCD for recall of order dated 18.08.2026 is pending. As per the application, an incorrect statement was not made on behalf of MCD before this court. Relying on a status report filed by MCD, it is submitted that on 06.04.2026, demolition was not carried out despite availability of police force since “major action was taken on illegal plotting on agriculture land”. The application does not disclose the details of where the said action was taken and whether the entire staff of MCD was deployed in the said action. So as to ascertain the veracity of the submission made before this court, it is directed that the Executive Engineer of MCD shall file an affidavit disclosing these details. The affidavit shall be filed by the next date. It shall also be disclosed in the affidavit whether any intimation given to the SHO, PS Kanjhawala that the police force that has been provided is no longer required because MCD officers are being diverted to other tasks. If so, copy of the said letter written by MCD to the SHO of PS Kanjhawala shall be placed on record before this court.

(2)

What is startling is that inspite of undertaking before the court, MCD has not carried out complete demolition of the premises. Ld. counsel for MCD submits that action could not be carried out because of resistance offered by the residents and absence of support from police force. It is directed that the statutory process of demolition be carried out within a week and adequate police protection shall be granted in terms of directions of Hon'ble Supreme Court, referred to in order dated 18.08.2026.

Till the next date, the direction calling for the explanation of the Commissioner of MCD is kept in abeyance.

List on 23.09.2026.

Copy of this order be also sent to the SHO of PS Kanjhawala for compliance.

(Ashish Aggarwal)
District Judge-III
North-West District,
Rohini Courts, Delhi
02.09.2026