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

+ **W.P.(C) 8729/2025 & CM APPL. 70830/2025**

DR NEERAJ SHARMA

.....Petitioner

Through: Mr. Pradeep Mishra and Mr. Ashish
Upadhyay, Advs.

Mob: 9811538060 & 9811215280

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Mukesh Gupta, SC for MCD with
Mr. Sachin Singh Shahi, Advs.

Mob: 6398396980

Email: m.guptaadvocate@yahoo.in

Mr. Gagan Gandhi, Mr. Vijay Kumar,
Ms. Tanushree Bakshi, Dr. B.S.
Chauhan, Ms. Shraddha Saxena and
Ms. Eesha Khanna, Advs. for R-5

Mob: 9818085505

Email: gagangandhi@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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28.11.2025

CM APPL. 70830/2025

1. The present application has been filed for recalling of the order dated 28th October, 2025.
2. Learned counsel appearing for respondent no. 5 submits that this is the fourth round of litigation between the parties. He submits that earlier the



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petitioner had filed a writ petition, being W.P.(C) 7286/2022, titled as “Dr. *Neeraj Sharma Versus North Delhi Municipal Corporation and Others*”

3. Subsequently, a civil suit was filed by the respondent no. 5 against the petitioner herein, as the petitioner was not allowing the respondent no. 5 to use the common stairs and the said civil suit was decreed in favour of respondent no. 5.

4. Thereafter, another writ petition came to be filed on behalf of respondent no. 5, with prayer for removal of the generator from outside the premises as installed by the petitioner.

5. Subsequently, the present writ petition came to be filed by the petitioner.

6. This Court notes that the petitioner and respondent no. 5, are residents of the same building, i.e., property bearing *No. A-15, Tagore Market, Kirti Nagar, New Delhi-110015*, wherein, the petitioner stays on the ground floor and first floor of the property in question, whereas, the respondent no. 5 stays on the second floor of the property, with terrace/roof rights.

7. The present writ petition had been disposed of on the basis of the Status Report filed on behalf of the MCD, wherein, it has come to the fore that the work being carried out by the respondent no. 5 herein was repair work, which is permissible under the Unified Building Bye Laws, 2016.

8. In view of the peculiar facts and circumstances and the history of previous litigation between the petitioner and respondent no. 5, it is apparent that the present writ petition has been filed more in the nature of personal vendetta and on account of the personal disputes existing between the said parties.



9. Accordingly, no ground is found for recalling the order dated 28th October, 2025.

10. Consequently, the present application is dismissed.

MINI PUSHKARNA, J

NOVEMBER 28, 2025/SK