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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CONT.CAS(C) 1934/2023, CM APPL. 50751/2025 &
54419/2025

KANWALJEET SINGH & ORS.

.....Petitioners

Through: Mr. Manmohan Singh Narula and Mr.
Sarbjit Singh, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS....Respondents

Through: Ms. Beenashaw N. Soni, SC with Ms.
Ann Joseph, Advocate for MCD.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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03.12.2025

1. This hearing has been done through hybrid mode.

CM APPL. 41086/2025 (impleadment)

2. The present application under Order I Rule 10 read with Section 151 of the CPC seeks following prayers:-

“ In view of the aforesaid facts and circumstances of the case, it is most respectfully prayed that the Applicants may be impleaded as Respondents in the present petition and an opportunity to contest the present petition be afforded to the Applicants; and/ or

Pass any other or further order(s), which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

3. Issue notice.

4. Learned counsel appearing on behalf of the petitioner/non-applicant accepts notice.

5. In view of the averments made in the application and in the interest of justice, the present application is allowed and disposed of accordingly.



6. Accordingly, the present applicant is impleaded as respondent no. 6 in the present petition.

7. Let an amended memo of parties be placed on record by the petitioner, before the next date of hearing.

CONT.CAS(C) 1934/2023, CM APPL. 50751/2025 & 54419/2025

8. As per the status report dated 23.08.2024 filed by the MCD, it has been stated as under:-

“4. That further in order to assess the alleged unauthorized encroachment / unauthorized construction by the owner of Raj Cinema, in Chaukhandi Extension Colony, Tilak Nagar in Ward No. 97, Chaukhandi Nagar, New Delhi, a correspondence was made between different departments of MCD. The Engineering Department sought clarification on issues such that (a) Whether the land has been acquired or not if yes whether the land has been handed over to the department concerned as per the layout of the colony? (b) Under whose possession the land? (c) As the site in question does not tally with respect to the shape and size with the layout, proper demarcation plan may be provided as per the record.

5. A joint inspection by the concerned officials of Land & Estate Department, Town Planning Department, Horticulture West Zone, Maintenance-I, West Zone was also done on 28.06.2023 in order to verify the land in question. A joint inspection report has been communicated by Land & Estate Department on dated 23.11.2023 (Attached as **Annexure-‘C’**). The report communicated by Land & Estate Department was not conclusive therefore a letter bearing No. EE(M)-IWZ/2022-23/D-1578 dated 23.01.2024 (Attached as **Annexure-‘D’**) has been again send to the Land & Estate Department to expedite the work in this matter and apprise the Hon'ble High Court in the present matter regarding the alleged encroachment / unauthorized construction by the owner of Raj Cinema, in Chaukhandi Extension Colony, Tilak Nagar in Ward No. 97, Chaukhandi Nagar, New Delhi.

6. Further, as the status of land still not clear the open area exist between the old structure of Raj Cinema and plots exist at the rear side of Raj Cinema structure can't be ascertained as set back of private land or lane in public/Government land (Site plan attached as **Annexure-‘E’**).”



9. Let an updated status report be placed on record with respect to the further action taken by MCD and L&DO before the next date of hearing.
10. List on 30.04.2026.

AMIT SHARMA, J

DECEMBER 03, 2025/sn/db