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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 425/2025**

ASHOK KUMAR YADAV

.....Petitioner

Through: Mr. Ravin Rao, Mr. Pallav Gupta, Mr.
Ayan Sharma, Mr. Akshit Sawal, Ms.
Jannat Garg and Ms. Simran Shokeen,
Advs.

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Mr. Beenashaw Soni, SC. for MCD
Mr. Abhinav Sharma, Adv. for PWD
Mr. Dhananjai Rana, CGSC for
respondent no.3/Delhi Police
Mr. Asheesh Jain Sr. Adv. with Mr.
Davender Kumar, Mr. Rajesh Gupta,
Mr. Meahul Gupta, Mr. Aslam Shah,
Mr. Ashwani Mittal, Advs. for
applicants.
Mr. Manish Kaushik and Mr. Mishal
Johari, Advs. for applicants.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE MADHU JAIN

ORDER
% **17.01.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 3380/2026(Exemption)

2. Allowed, subject to all just exceptions. Accordingly, the application is
disposed of.



W.P.(C) 425/2025 & CM APPL. 3275/2026, CM APPL. 3276/2026, CM APPL. 3378/2026, CM APPL. 3379/2026

3. In the present petition, **CM APPL. 3275/2026** and **CM APPL. 3378/2026** have been filed seeking impleadment of the respective Applicants as Respondents in the case.

4. Further, **CM APPL. 3276/2026** and **CM APPL. 3379/2026** have been filed by the Applicants seeking directions for stay of demolition of alleged unauthorised encroachments, in adherence to the notice dated 15th January, 2026 which has been issued to the Applicants.

5. Today, the Applicants have been heard in this matter. The grievance of the Applicants is that while the order of the Court dated 11th March, 2025, as also the subsequent order dated 18th December, 2025, was primarily directed towards illegal encroachments by vendors on public spaces, the PWD has conducted a demarcation last week and has issued notice dated 15th January, 2026 to the Applicants for demolition to be carried out on 19th January, 2026.

6. Mr. Jain, Id. Senior Counsel, appearing for the Applicants has placed some photographs on record, as per which a number of homes are likely to be demolished in the area, since, as per the demarcation report, the measurement of the road is being increased beyond the existing road.

7. Further, on behalf of some of the Applicants, it is submitted that they have sale deeds of their respective properties, which date back to more than 30-40 years and some of the Applicants are also stated to be paying house tax on their properties.

8. Id. Counsel for the PWD and MCD are present as well. As per Mr. Sharma, Id. Counsel for the PWD, pursuant to the orders of this Court which have directed action against unauthorised construction and encroachment, a



demarcation exercise has been carried out in the last one month. Pursuant to the demarcation, PWD has issued notice dated 15th January, 2026 to the Applicants and various other parties, for removal of the unauthorised encroachment and unauthorised construction.

9. On behalf of the Petitioner, it is submitted that all these Applicants have made unauthorised construction on public land and the right of way of the local residents ought to be protected. Hence, such construction/encroachments deserve to be demolished.

10. After hearing Id. Counsels for all parties, it becomes clear that the demarcation exercise is of a recent nature and the notice has only been issued on 15th January, 2026.

11. Accordingly, it is directed that the PWD shall examine the present applications and in respect of each of the Applicants, the PWD shall give its stand in the form of a table.

12. In addition, the PWD shall also place on record the recent demarcation report prepared by it by the next date of hearing as part of their status report.

13. Until the next date of hearing, no demolition shall be undertaken of the structures which are already built in the form of homes/shops belonging to the Applicants. However, any unauthorised vendors or hawkers etc. shall not be permitted to vend by the PWD or MCD.

14. If there is any unauthorised encroachment, apart from the constructed premises of the Applicants, in the form of extension of shops/homes on the drain or on public roads, etc., all such encroachments shall be removed.

15. Let copies of any documents of title or ownership, which the Applicants are relying upon, including their respective sale deeds, be supplied to Mr. Sharma, Id. Counsel for PWD by Monday morning, i.e. 19th January, 2026.



16. List the matter on the date already fixed *i.e.* 22nd January, 2026.

PRATHIBA M. SINGH, J

MADHU JAIN, J

JANUARY 17, 2026/ys/ss