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

+ W.P.(C) 425/2025

ASHOK KUMAR YADAV

.....Petitioner

Through: Mr. Ayan Sharma, Adv. through VC.

versus

MUNICIPAL CORPORATION OF DELHI AND
ORS

.....Respondents

Through: Ms. Beenashaw Soni, SC for MCD
with Ms. Mansi Jain and Ms. Ann
Joseph, Advs. for MCD.

Mr. Abhinav Sharma, Adv. for R-
2/PWD with Mr. Suresh Kumar, AE,
PWD and Mr. Shankar Singh, EE,
PWD.

Mr. Hemant Kumar Yadav, SPC for
R-3/Delhi Police.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

08.09.2025

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1. This Court on 11th March 2025, after appreciating the sensitivity with which the cause was sought to be persuaded, issued the following directions in *paragraph 11:-*

“11. Therefore, taking into consideration the aforesaid facts and circumstances as well as the submissions made by learned counsel appearing on behalf of the parties, the following directions are



passed by this Court-

a. The Assistant Commissioner of the MCD, Civil Lines Zone is directed to convene a meeting with the competent officials of PWD and SHO of the concerned police station, and file a detailed status report before this Court, within a period of four weeks with respect to the removal of unauthorized construction or encroachment on Railway Road, Village Samaypur, Delhi, connecting the G.T. Kamal Road (National Highway) and the Samaypur Badli Railway Station/Metro Station.

b. Further, the SHO concerned is directed to deploy one beat officer from 10:00 A.M. to 8:00 P.M., to prevent re-occurrence of such encroachment on the aforesaid site on a day-to-day basis.

c. The Assistant Commissioner of the MCD, Civil Lines Zone is further directed to fix/install CCTV cameras, if no CCTV cameras are at the site within a period of four weeks from today.

d. The Assistant Commissioner of the MCD, Civil Lines Zone is further directed to paste notice of 'No Vending Zone' on a notice board in the areas extending from the Railway Road, Village Samaypur, Delhi, connecting the G.T. Kamal Road (National Highway) and the Samaypur Badli Railway Station/Metro Station."

2. It is brought to our notice by Ms. Soni, Counsel appearing for the Municipal Corporation of Delhi ('**MCD**'), that a meeting of the officials of Public Works Department ('**PWD**') and the Station House Officer ('**SHO**') of Police Station ('**P.S**') Samaypur Badli, was convened and accordingly, the last status report was placed on record.

3. As regards, the meeting to be convened by the Assistant Commissioner of MCD, the official of PWD had disputed the same, which led us to call for the original record with regard to the meetings convened by



the *Assistant Commissioner* of MCD as referred above. The record depicts that the official from PWD had in fact attended such meeting.

4. This prompted us to call for explanation from the concerned official of the PWD, who in his affidavit has expressed his regret and assured that he shall be more diligent in dealing with the issue.

5. We accept the explanation tendered by the official from the PWD.

6. The fact remains that since the last date i.e. 21st July 2025, the SHO of P.S. *Samaypur Badli* has neither issued instructions to his counsel nor placed on record any status report. A specific grievance has been made by the counsel for petitioner that it was for the SHO to take appropriate action in the matter *qua* the implementation of order dated March 11, 2025.

7. When confronted, *Mr. Hemant Kumar Yadav*, Counsel appearing for the Delhi Police, is unable to assist, as according to him, whatever material was made available by the SHO of P.S. *Samaypur Badli* was prior to the passing of the order dated 11th March 2025. He further submits that after 11th March 2025, some information was provided to him in May; however, till date, despite the last order, no instructions have been issued to him.

8. The failure as aforesaid on the part of the SHO of P.S. *Samaypur Badli*, *prima facie*, reflects intention to show disrespect and disregard to the order dated 11th March 2025 passed by this Court.

9. This would have led us to pass an order of issuance of bailable warrants against the said officer, however, we deem it appropriate for the time being to issue a contempt notice to the SHO of P.S. *Samaypur Badli*, calling upon him to explain as to why he should not be proceeded against for defying the order dated 11th March 2025 passed by this Court.

10. We direct *Mr. Yadav*, counsel appearing for Delhi Police, to



communicate this order to the said SHO and ensure that he places on record his reply/status report within a period of one week from today.

11. *Ms. Soni*, counsel appearing for MCD informs that ‘*CCTV Cameras*’ have already been installed and ‘*No Vending Zone*’ boards have been displayed at the site in question. According to her, all possible steps have been taken in the matter and she also intends to place on record an updated status report within a period of one week. Let the same be filed within a period of one week from today.

12. At this stage, *Mr. Sharma*, counsel for the petitioner, states that he may be permitted to file an additional affidavit demonstrating the existence of unauthorised structures which ought to have been dealt with in accordance with directions issued on 11th March 2025. He is at liberty to file an affidavit containing the details of unauthorised structures before the next date of hearing i.e. 18th September 2025.

13. As prayed, re-notify on 18th September 2025.

14. Order be uploaded to the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

SEPTEMBER 8, 2025/sky/tk