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

+ W.P.(C) 3676/2017, CM APPL. 16178/2017, CM APPL. 38319/2023
& CM APPL. 38320/2023

M/S R.B. SAXENA AND SONSPetitioner

Through: Ms. Gita Dhingra, Adv.

versus

EAST DELHI MUNICIPAL CORPORATION &
ORS.

.....Respondents

Through: Mr. Sanjay Vashishtha, SC-MCD
with Mr. Siddhartha Goswami,
Advocate with Mr. Mukesh Kr.
Meena, MCD

Ms. Namrata Mukim Standing
Counsel MCD, Ms. Niharika Singh
and Ms. Sakshi Saxena, Advs. for
respondent MCD

+ W.P.(C) 8294/2018 & CM APPL. 62590/2025

JOGINDER SINGH WADHAWAPetitioner

Through: Mr. Vaibhav Agnihotri, Mr. Bhriгу
Dhami, Mr. Chaitanya Malhotra,
Advocates

versus

EAST DELHI MUNICIPAL CORPORATION & ORS.....Respondent

Through: Mr. Sanjay Vashishtha, SC-MCD
with Mr. Siddhartha Goswami,
Advocate with Mr. Mukesh Kr.
Meena, MCD

+ W.P.(C) 4824/2019

M/S S G CONSTRUCTIONSPetitioner

Through: Mr. Chandrika Prasad Mishra, Ms.
Prashasti Singh, Ms. Harshita



Bhardwaj, Mr. Ankit Pandey,
Advocates

versus

EAST DELHI MUNICIPAL CORPORATION AND
ORS.

.....Respondent

Through: Mr. Sanjay Vashishtha, SC-MCD
with Mr. Siddhartha Goswami,
Advocate with Mr. Mukesh Kr.
Meena, MCD

+ W.P.(C) 4849/2019

KHAJAN SINGH

.....Petitioner

Through: Mr. Chandrika Prasad Mishra, Ms.
Prashasti Singh, Ms. Harshita
Bhardwaj, Mr. Ankit Pandey,
Advocates

versus

EAST DELHI MUNICIPAL CORPORATION &
ORS.

....Respondents

Through: Mr. Sanjay Vashishtha, SC-MCD
with Mr. Siddhartha Goswami,
Advocate with Mr. Mukesh Kr.
Meena, MCD

+ W.P.(C) 11919/2021

SAI INTERPRISES THROUGH ITS PROPRIETOR UMESH
KUMAR

.....Petitioner

Through: Mr. Vaibhav Agnihotri, Mr. Bhriugu
Dhami, Mr. Chaitanya Malhotra,
Advocates

versus

EAST DELHI MUNICIPAL CORPORATION &
ANR

.....Respondents

Through: Mr. Sanjay Vashishtha, SC-MCD
with Mr. Siddhartha Goswami,
Advocate with Mr. Mukesh Kr.



Meena, MCD

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

16.12.2025

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1. Learned counsel for the respondents submits that there is an alternate remedy of invoking arbitration proceedings is available to the petitioners.
2. Learned counsel for the Municipal Corporation of Delhi ("MCD") further submits that some of the petitioners have also invoked other alternate remedies, including, filing of suit and filing of Section 11 petition under Arbitration and Conciliation Act, 1996.
3. *Per contra*, learned counsels for the petitioners submit that in the present cases, the tenders were originally floated when there was a unified MCD. However, at the time of award of tender, trifurcation of the MCD had happened. Thus, the amount towards labour charges and foul condition charges, have been paid by the MCD. He submits that after unification of the MCD again, except the erstwhile East Delhi Municipal Corporation, the other divisions of the MCD are not recovering the charges as paid towards the aforesaid heads.
4. Accordingly, all the petitioners are directed to file an additional affidavit before the next date of hearing, indicating as to any other petitions that may have been filed by them, with respect to the subject matter of the present writ petitions.
5. Learned counsel for the petitioner in *W.P.(C) 4824/2019* submits that additional documents have been filed today.
6. Let steps be taken to have the same placed on record.
7. Accordingly, list for hearing on 23rd February, 2026, in Top Ten



Matters in the *Advance List*.

DECEMBER 16, 2025/au

MINI PUSHKARNA, J