



2025:DHC:9666



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

% **Date of Decision: 03rd November, 2025**

+ W.P.(C) 16667/2025

M/S. STAR ENTERPRISES THROUGH PROP. MR. MUZAMMIL
QURESHIPetitioner

Through: Mr. Jagjit Singh, Mr. Preet Singh and
Mr. Rahul Khan, Advs.
Mob: 9871230579
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versus

MUNICIPAL CORPORATION OF DELHI THROUGH ITS
COMMISSIONER & ORS.Respondents

Through: Mr. Tushar Sannu, SC-MCD with
Ms. Aqsa, and Mr. Dheeraj Kumar,
Advs.
Mob: 9911991166
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Mr. Kanav Vir Singh, SPC for R-3
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CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA
MINI PUSHKARNA, J (ORAL)

1. The present writ petition has been filed with the following prayers:
“(i) *The Respondent No.1/MCD and Respondent No. 4/DDA be directed to resolve the inter-se issue of jurisdiction of parking plots allotted as aforesaid to the Petitioner and decide the issue forthwith.*”



- (ii) Direct the Respondent No.1/MCD and Respondent No. 3 SHO concerned to get the unauthorized persons evicted from the said Plot near plot No. G-3, Cascade Shopping Centre at Netaji Subhash Place, Pitampura, Delhi and then hand over the physical and vacant possession of the said plot to Petitioner.
- (iii) Direct the Respondent No. 3/SHO with the help of Respondent No. 1/MCD to ensure that parking area be free from all the hawkers/ unauthorized stalls and made the parking area free from encroachment and hawkers;
- (iv) Direct the Respondent No. 1/MCD and Respondent No.4/DDA to ensure no unauthorized parking run by the owners of Fun Cinema and/or on their behalf at the plots Nos. P-1, P-2, P-3 and P-4 and P-5 in front of Fun Cinema;
- (v) Direct the Respondent No. 1/MCD to consider the request of the Petitioner for allotment of parking Plot No.16/679, Netaji Subhash Place, Delhi.
- (vi) Direct the Respondent No. 1/MCD to consider and reduce the licence fee proportionally in respect of area not handed over to the petitioner in respect of 2 plots as aforesaid.”

2. Learned counsel appearing for the petitioner submits that despite the two parking areas having been allotted to the petitioner, the petitioner is not able to run the said parking area, on account of various unauthorized persons, encroaching the said parking area. He submits that there is further hindrance in running of the said parking on account of certain area being claimed by the Delhi Development Authority (“DDA”).

3. He, thus, submits that the petitioner has prayed to the Municipal Corporation of Delhi (“MCD”) to ensure that no hindrance is caused to the petitioner in running the parking sites allotted to it and also, to allot some other alternate parking space to the petitioner, on account of various hindrances.

4. He further submits that the petitioner also prays for reduction in the



license fee, in respect of the area which has not been handed over to the petitioner.

5. Learned counsel appearing for the MCD, on advance notice, submits that the MCD shall take requisite action with regard to removal of the encroachment. He further submits that the MCD shall coordinate with the Station House Officer (“SHO”), Police Station Netaji Subhash Place in this regard.

6. He further submits that in view of the various submissions made before this Court, all the grievances, as raised by the petitioner, shall be considered by the officers of the MCD.

7. Learned counsel appearing for respondent no. 3, i.e., SHO, Police Station Netaji Subhash Place, submits that the respondent no. 3 shall give all due assistance to the MCD in removal of the encroachment, whenever such request is made.

8. The aforesaid statement is taken note of and the SHO, Police Station Netaji Subhash Place, is held bound by the same.

9. Considering the submissions made before this Court and in view of the various grievances raised by the petitioner, it is directed that the present writ petition shall be treated as a representation by the MCD.

10. At the time of considering the representation of the petitioner, the petitioner shall be duly called for personal hearing.

11. The MCD shall take note of all the submissions raised by the petitioner and pass appropriate speaking order therein.

12. Let the representation be decided by the MCD in a time bound manner, preferably, within a period of six weeks, from today.



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13. With the aforesaid directions, the present writ petition, along with the pending applications, is accordingly disposed of.

MINI PUSHKARNA, J

NOVEMBER 3, 2025/SK