



2026:DHC:5676



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

% **Date of Decision: 13th July, 2026**

+ CONT.CAS(C) 570/2021

MARKET WELFARE ASSOCIATION

.....Petitioner

Through: Mr. Lal Singh Thakur, Mr. Sahil Gandhi, Ms. Sonali Singh, Ms. Kavya and Mr. Ankush, Advs.

versus

RAJESH KUMAR & ORS.

.....Respondents

Through: Mr. Niraj Kumar, Sr. Central Govt. Counsel, for R-1
Mr. Varun Tyagi, Mr. Bharat Gupta and Mr. Ishan Srivastava, Advs. for R-4 & 5

+ W.P.(C) 8900/2020, CM APPL. 28674/2020 & CM APPL. 3408/2025

MARKET WELFARE ASSOCIATION

.....Petitioner

Through: Mr. Lal Singh Thakur, Mr. Sahil Gandhi, Ms. Sonali Singh, Ms. Kavya and Mr. Ankush, Advs.

versus

CENTRAL PUBLIC WORKS DEPARTMENT &
ORS.

.....Respondents

Through: Mr. Varun Tyagi, Mr. Bharat Gupta and Mr. Ishan Srivastava, Advs. for R-4 & 5
Mr. Raghvendra Upadhyay, PC with Ms. Purnima Jain, Ms. S. Taneja and Mr. Madhur, Advs. for R-1



CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA
MINI PUSHKARNA, J (ORAL):

1. The present contempt petition has been filed alleging wilful disobedience of the order dated 07th December, 2020 passed in *W.P.(C) 8900/2020*. The order dated 07th December, 2020 read as under:

This petition has been heard through video conferencing.

In spite of notice, none appears for the respondent nos. 4 and 5.

The grievance of the petitioner is that the respondent nos. 4 and 5, who are the Residential Welfare Association(s), have unauthorizedly closed all the gates except one of Sector 8, RK Puram Colony.

The respondent no. 3 has filed a Status Report confirming the above.

The learned counsel for the petitioner has placed reliance on the Circular dated 25.06.2017 issued by the Municipal Corporation of Delhi laying down the Policy/Guidelines for installation of gates for security purpose in colonies, in accordance with which the gates have to remain open between 5:00 a.m. to 11:00 p.m. and the RWAs are to ensure watch and ward at such gates.

Though the learned counsel for the respondent no. 2 submits that

these Guidelines may not apply to the area in question, keeping in view the fact that closure of gates can cause hindrance to the entry and exit of even the emergency vehicles like ambulances or fire engines, the respondent nos. 4 and 5 are directed to ensure that these gates remain open between 5:00 a.m. to 11:00 p.m., till the next date of hearing.

The Status Report filed by respondent no. 3 further states that traffic jams occur in front of the market of the petitioner due to insufficient space for parking and unauthorized parking of vehicles.

To address the above issue, the respondent no. 3 shall be entitled to take necessary action. The petitioner must also render its full cooperation to any action taken by the respondent no. 3 in this regard.

List on 8th February, 2021.

2. Perusal of the aforesaid order shows that there was a direction that the gates of the colony in question, i.e., *Sector-8, R.K. Puram Colony*, shall remain open between 5 AM to 11 PM.
3. Today, learned counsel appearing for Residents Welfare Association



(“RWA”), i.e., the respondent herein, submits that gates in the colony in question remain open from 5 AM to 11 PM every day.

4. This Court notes that in the instant writ petition, the main prayer of the petitioner is as follows:

“xxx xxx xxx

a) issue an appropriate writ in the nature of mandamus directing the Respondent No. 1 to 3 to get all the gates of Sector-8, R.K. Puram opened and to see that the gates were remained open without any interference of Respondent No. 4 and 5; and

b) issue an appropriate writ, order or directions to Respondent No.3 to see that Respondent No.4 & 5 not to interfere in the affairs of the petitioner; and

xxx xxx xxx”

5. Considering the statement made by learned counsel appearing for the RWA, it is noted that the grievance of the petitioner stands satisfied, as the gates of *Sector-8, R.K. Puram Colony* are stated to be open from 5 AM to 11 PM.

6. At this stage, this Court notes the submission made on behalf of the RWA that there are six gates in the *Sector-8, R.K. Puram Colony*, where security guards have been stationed by the RWA for the purpose of manning of the gates.

7. He further submits that the petitioner - Market Welfare Association, consists of shopkeepers who are running their commercial activities from the area in question, and therefore, should contribute towards the expenses incurred towards upkeep of the said gates.

8. This Court notes that the directions for opening the gates of *Sector-8,*



R.K. Puram Colony have been given primarily on account of the grievance raised by the Market Welfare Association, so that the ingress and egress of the various shopkeepers and their customers is not hindered.

9. Accordingly, this Court is of the view that the members of the Market Welfare Association are equal stakeholders in the matter, and are required to contribute to the upkeep of the gates in the *Sector-8, R.K. Puram Colony*.

10. Accordingly, it is directed that the members of the Market Welfare Association shall also contribute to the upkeep and maintenance of the six colony gates situated in *Sector-8, R.K. Puram Colony*, which would also include payment of salary of the security guards, who are stationed there to man the respective gates.

11. In this regard, the President/Secretary of the RWA, is directed to give the details of the expenditure borne by the RWA for the purpose of upkeep and maintenance of the colony gates. The President/Secretary of the Market Welfare Association shall ensure that 50% of the cost, as indicated by the RWA, is borne by the members of the Market Welfare Association.

12. It is further clarified that the contribution of the Market Welfare Association towards upkeep and maintenance of the gates shall be from the date of the present order.

13. With the aforesaid directions, the present petitions, along with the pending applications are disposed of.

MINI PUSHKARNA, J

JULY 13, 2026/KR