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

% **Date of Decision: 14<sup>th</sup> October, 2025**

+ W.P.(C) 13241/2025, CM APPL. 54268/2025 & CM APPL.  
54269/2025

DR SANJEEV BAGAI

.....Petitioner

Through: Ms. Anu Monga, Mr. Rahul Goel and  
Mr. Yash Agarwal, Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ANR. ....Respondents

Through: Mr. Kapil Dutta and Mr. Siddharth  
Parashar, Advs. for MCD  
Mr. Amit Tiwari, CGSC with Ms.  
Ayushi Srivastava, Mr. Ayush  
Tanwar, Mr. Arpan Narwal and Mr.  
Kushagra Malik, Advs. for R-2

**CORAM:**

**HON'BLE MS. JUSTICE MINI PUSHKARNA**

**MINI PUSHKARNA, J. (ORAL):**

1. The present writ petition has been filed seeking directions for removal/demolition of the iron gate installed at *A-1 Street*, next to *House No. A-1/1*, and *St. Dominic's Church at Poorvi Marg, Block-A, Vasant Vihar, New Delhi-110057*, and to declare the same as illegal and unauthorized.
2. A Status Report dated 15<sup>th</sup> September, 2025 has been filed on behalf of the Municipal Corporation of Delhi ("MCD"), wherein, the following submissions have been made:

"xxx xxx xxx"



3. That the petitioner, vide instant Writ Petition, is seeking directions for removal / demolition of the illegally installed iron gate at A – 1 Street (Next to House No. A – 1/1 and St. Dominic's Church at Poorvi Marg), Block – A, Vasant Vihar, New Delhi – 110057.
4. That considering the above, the record maintained by Maintenance Division – I, South Zone of Respondent – MCD has been referred to. Upon referring to the record, it has been revealed that on receiving an application vide Diary No. 12319 dated 03/01/2025 regarding regularization of various gates installed in the Vasant Vihar Area, New Delhi, the matter has been examined. On examining and finding that the gates installed at main gates of street A – 1 & Street A – 5 and back lanes gates of A – 15 and Street A – 16 of Vasant Marg, Vasant Vihar, New Delhi fulfils the guidelines of Circular No. D/664/SE(P)-I dated 25/06/2007, the same have been regularized, which also includes the gate in question i.e. iron gate at A – 1 Street (Next to House No. A – 1/1 and Dominic's Church at Poorvi Marg) Block – A, Vasant Vihar, New Delhi subject to certain conditions. The copy of the regularization letter bearing No. D-185/DC/SZ/2025 dated 29/05/2025 containing the conditions as conveyed / issued to the applicants is annexed herewith as **Annexure –A.**



5. That further on 03/09/2025, pursuant to the directions of this Hon'ble Court, the alleged gate in question has also been inspected by the area field staff of Maintenance Division –I, South Zone of Respondent – MCD. Upon inspection and noticing that the alleged gate is closed, a letter bearing No. EE(M)-I/SZ/2024-25/D-447 dated 04/09/2025 has also been sent to the President of RWA with the request to follow the conditions of the guidelines in true spirit. The copy of the letter dated 04/09/2025 as sent in this regard is annexed herewith as **Annexure – B.**
6. That in response to the aforesaid intimation, a reply dated 10/09/2025 has also been received from the Vasant Vihar Welfare Association / RWA, assuring therein that they will operate the gate as per the guidelines / circular and strict watch in this regard will also be kept by them. The copy of the response dated 10/09/2025 as received in this regard is also annexed herewith as **Annexure –C.**
7. That furthermore, another letter dated 12/09/2025 has also been received from the Vasant Vihar Welfare Association stating therein that during the night time from 11:00 PM to 05:00 AM the alleged gates will be kept remained closed in terms of the conditions of the letter dated 29/05/2025 as issued by the department and during the said period, the gate will also be kept manned by a guard so as to facilitate the entry and exit of the residents in emergency situation during this





period. Whereas, during the day time, the said alleged gate shall be kept remained open. The copy of the letter dated 12/09/2025 submitted by the association in this regard are annexed herewith as Annexure –D (Colly).

8. That further, on receiving the said letter, the department has also verified the site position of the alleged gate and the same was found open during the day time and closed at night time (after 11:00 PM) but duly manned by a guard at night. The photographs taken in this regard are annexed herewith as Annexure –E (Colly).

3. By referring to the aforesaid Status Report, learned counsel appearing for the MCD submits that the installation of the gate in question, is as per the guidelines of the Circular dated 25<sup>th</sup> June, 2007 issued with regard to installation of gates and that the said gate has been installed with due permission and after regularization by the MCD.

4. He further submits that the field staff of Maintenance Division of the MCD inspected the site and the Residents Welfare Association (“RWA”) of Vasant Vihar had assured that they will operate the gate as per the guidelines/Circular and keep a watch in this regard.

5. He further submits that the RWA of Vasant Vihar has clearly stated that the gate in question shall remain closed during the night time from 11:00 PM to 05:00 AM in the morning and shall remain open throughout the day. Further, at the time when the gate is closed, the same shall be duly manned by a guard at night.

6. Attention of this Court is drawn to the assurance, as given by the RWA in this regard, which is reproduced as under:



2025:DHC:9157

**VASANT VIHAR WELFARE ASSOCIATION (Regd.)**

Kalyan Kendra, 9 Paschimi Marg, Vasant Vihar, New Delhi 110 057  
Tel: 2614 7409, 76693 96999, Email : hellovvwa@gmail.com

**GURPREET SINGH BINDRA**  
PRESIDENT

Ref:VVWA/09/2025

10<sup>th</sup> Sep. 2025

The Executive Engineer (M-1),  
Municipal Corporation of Delhi,  
Office of the Executive Engineer,  
South Zone, Gulmohar Park,  
New Delhi-110 049

Sub: In reference to W.P.(C) No. 13241/2025, CM Appeal 54268/2025 &  
CM Appeal 54269/2025

Dear Sir.

Greetings from Vasant Vihar Welfare Association (VVWA).

We have received your letter regarding the gate located at A-1/1. We are surprised to receive your letter, because the operation of the gate is strictly as per the guidelines given by MCD dated 25<sup>th</sup> June, 2007. However, we write to assure you that in the light of the your letter, strict instructions have been given to operate the gate as per your circular. We will also keep a strict watch on this matter and will submit documented evidence to you from time to time.

We once again write to assure you that the terms and conditions laid down in your circular, the gate will be followed in totality.

Thanking you,

  
(GURPREET SINGH BINDRA)

Executive Engineer (M-S)/SZ  
Diry No. 2976  
Date 11/9/25

AE - II

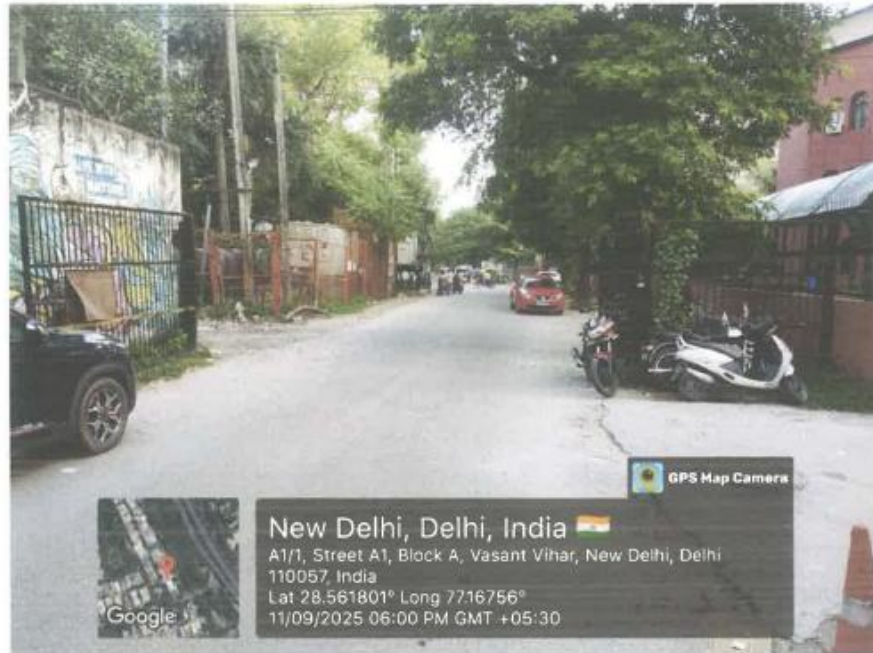


7. Attention of this Court has also been drawn to the photographs attached with the Status Report, which are reproduced as under:



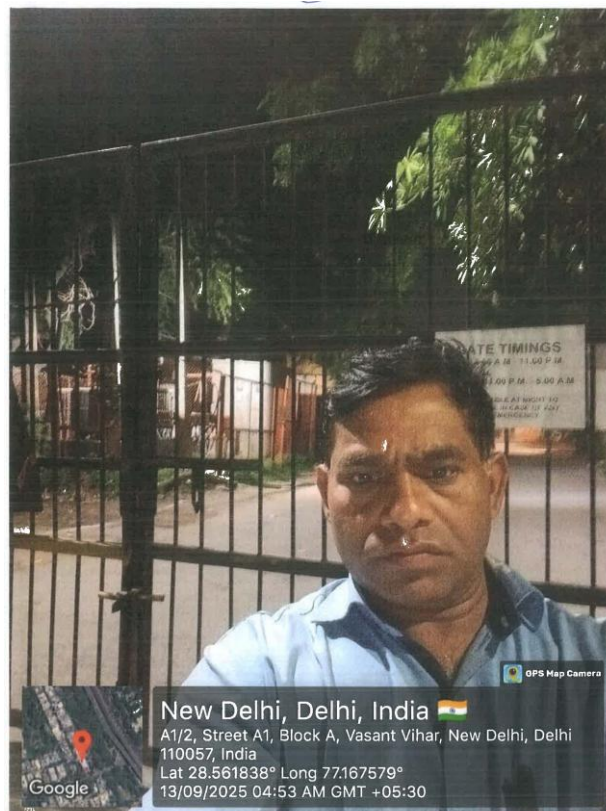
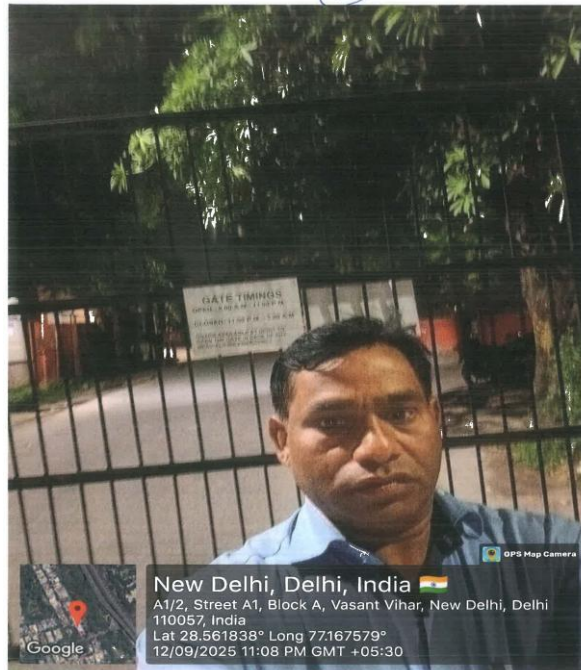


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8. Perusal of the aforesaid status Report as well as the photographs shows that it has been undertaken by the Vasant Vihar Welfare Association to follow the guidelines given by the MCD pertaining to installation of gates



in colonies.

9. At this stage, learned counsel appearing for the petitioner submits that the petitioner is a Doctor and has to visit his patients at unearthly hours. She, thus, submits that the gate in question ought to be manned.

10. Accordingly, considering the submissions made before this Court, it is directed that the concerned RWA shall ensure that the gate remains open throughout the day and is closed only for a limited period, from 11:00 PM to 05:00 AM. Further, during the time when the gate in question is closed at night, the same shall be duly manned by a guard.

11. In case, the petitioner has an emergency call and finds the gate in question to be closed, information about the same shall be given to the Police Station, Vasant Vihar, on the following phone numbers of the Station House Officer (“SHO”) : +91 7065036221/011-26152577.

12. It is further directed that, in case, upon the call of the petitioner, the concerned police official finds the gate to be closed and not manned, the said police official shall have the liberty to break open the lock of the gate.

13. Learned counsel appearing for the petitioner submits that the petitioner be granted liberty to challenge the installation of the gate, in case the same has been installed in violation of the policy of the MCD. In case the petitioner is so aggrieved, he has the liberty to take steps in accordance with law.

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

**MINI PUSHKARNA, J**

**OCTOBER 14, 2025/KR**