



\$~90

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 20th May, 2025

+

W.P.(C) 5925/2025

RAJAN

.....Petitioner

Through: Ms. Priyanka Sinha, Adv.

versus

MUNICIPAL CORPORATION OF DELHI AND
ANR

.....Respondents

Through: Mr. Gaganmeet Singh Sachdeva,
Standing Counsel for MCD with Mr.
Hrideysh Khanna, Adv.
Mr. Manish Srivastava, Mr. Moksh
Arora & Mr. Santosh Ramdurg, Adv.
for R-2/TDPL.

CORAM:**JUSTICE PRATHIBA M. SINGH****JUSTICE RAJNEESH KUMAR GUPTA****Prathiba M. Singh, J. (Oral)**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner under Article 226 of the Constitution of India seeking, *inter alia*, removal of encroachments including kiosks, hawkers and sabzi mandi occupying the sidewalk in Y-Block, Mangolpuri, Delhi (hereinafter “*the concerned locality*”). The Petitioner has also objected to the electricity meters that have been issued in favour of the alleged encroachers. Further, the Petitioner is aggrieved by the *Safai Karamcharis* who are not performing their duties regularly in the locality and keeping the colony clean.
3. The Municipal Corporation of Delhi (hereinafter “*MCD*”) has placed a status report on record with certain photographs to show that an encroachment



2025:DHC:4107-DB



drive was conducted on 19th May, 2025. The relevant photographs are set out below:

3

ANNEXURE A-Cell







4. The above photographs would show that certain steps have been taken for removal of the encroachment in the concerned locality. The status report handed over today by the Id. Counsel for MCD is taken on record.

5. The Court has also perused the photographs filed by the Petitioner which show that there is no space for ingress and egress of vehicles and human movement is considerably reduced due to the encroachments by the *tehbazari* holders.



2025:DHC:4107-DB





2025:DHC:4107-DB





6. In the opinion of the Court, wherever such *tehbazaris* are being permitted, ensuring the cleanliness after the *tehbazari* or temporary vend is removed or the day's work is over, is the duty of the *Safai Karamcharis*.
7. The Court has heard the Id. Counsels for the parties and perused the records. It is accordingly directed that the Deputy Commissioner, MCD shall ensure not only that the encroachments are removed from the concerned locality but shall also ensure that the encroachments are not re-erected.
8. Further, the Deputy Commissioner, MCD shall ensure that the *Safai Karamcharis* who are engaged in the concerned locality remove the garbage on a regular basis *i.e.*, morning and evening. The proper attendance of the concerned *Safai Karamcharis* shall also be maintained in coordination with the residents of the concerned locality, including the Petitioner, who may cooperate and render assistance to the local authorities in this regard.
9. Insofar as the electricity meters are concerned, the Id. Counsel for Tata Power Delhi Distribution Limited submits that since the *tehbazari* holders are having proper Certificates of Vending, the meters have been installed in order to ensure that they do not illegally obtain electricity. The said statement is duly noted.
10. With these observations, the present petition is disposed of. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

RAJNEESH KUMAR GUPTA
JUDGE

MAY 20, 2025/Rahul/msh