PUBLIC GRIEVANCES COMMISSION
(Govt. of NCT of Delhi)
M-Block, Vikas Bhawan, IP Estate, New Delhi – 110110
Tel. No. 011-23379900, 23379901, Fax No. 011-23370903
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Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.1997

Date of hearing: 15th October, 2026

Complainant	:	Shri Subhash Chand Gupta
Respondent	:	The Commissioner, Municipal Corporation of Delhi, Dr. Shyama Prasad Mukherjee Civic Centre, Delhi-110002 Through : Shri Saurabh Jain, Junior Engineer, B-II/NEZ
Grievance No.	:	PGC/2028/A-II/MCD/550

1. Brief Facts of the Case

The complainant Shri Subhash Chand Gupta has filed a grievance in the Commission stating that illegal construction work is going on in full swing on property no. 1/4420, Ram Nagar Mandoli Road, Shahdara, Delhi-110032, in which the street is being encroached upon by 5 feet from the ground itself and chajjas of 4 feet are being extended over the road. He also stated that despite several complaints to the MCD, no action has been taken in the matter till date.

2. Facts emerged during the hearing

2.1 The complainant is present.

2.2 Shri Saurabh Jain, Junior Engineer, from MCD is present and submitted action taken report, stating the following :-

i. It is to submit that multiple complaints with different address were received along with with above mentioned subject property complaint

ii. It is to submit that, regarding encroachment on subject property a letter has been sent to the Executive Engineer (Maintenance)-ill, North East Zone to ascertain encroachment on government land.

PRATYUSH KANTH
MEMBER
Public Grievances Commission
Govt. of NCT of Delhi
M-Block, Vikas Bhawan,
New Delhi-110002

iii. It is to submit that, as per local enquiry, the Elevation (Facade) of subject property has been modified in the recent past. During the inspection of concem Junior Engineer neither building construction activity nor building material found at site.

iv. However, no sanction building plan was presented by the owner to undersigned. Hence, the property No. 1/4420, Ram Nagar Main Road, Shahdara, Delhi-32 has been booked vide booking file no. 99/B-II/UC/SH-N/2026 dated 10.09.2026, u/c in the shape of Ground Floor, First Floor & Second Floor with projection on Mpl. Land. The Show cause notice has been sent through speed post on 16.09.2026. The reply of the Show Cause Notice has been received in this office on 28.09.2026 and hearing was granted for 16.10.2026. Further action will be taken as per DMC Act, 1957.

v.. It is further submitted that the Hon'ble High Court of Delhi has passed the order dated 08.09.2025 in Cont. Case No. 902/2025 & order dated 19.09.2025 in WP(C) No. 13237/2025 in reference to the cases "only nearby neighbour is entitled to file complaint for unauthorized construction. It is submitted that neighbor only arises if the legal rights of light and air or any other legal right is affected by virtue of the illegal construction of the neighbour". The complainant address mentioned in the complaint is 1/3389, Second Floor, Ram Nagar, Shahdara and the same is far away from the subject mentioned property."

3. Directions of PGC

3.1 The next date of hearing in the case has been scheduled on 4th March, 2027 at 2.30 p.m.

PRATYUSH KANTH
MEMBER
Public Grievances Commission
Govt. of NCT of Delhi
M-Block, Vikas Bhawan,
New Delhi-110002

22/10

(PRATYUSH KANTH)
MEMBER(PGC)

F.No. PGC/2026/A-II/MCD/550/ 11536-539 Dated : 28/10/26

1. The Commissioner (MCD), Dr. Shyama Prasad Mukherjee Civic Centre, Minto Road, New Delhi-110002
2. The Deputy Commissioner (Shahdara-North Zone), Municipal Corporation of Delhi, office of the Deputy Commissioner, Shahdara North Zone,Municipal Corporation of Delhi, Zonal Office Building, Keshav Chowk, GT Road, Shahdara, Delhi-110032.
3. The Technical Officer, PGC with the direction to upload the same on the website of PGC
4. Shri Subhash Chand Gupta, r/o 1/3389, Second Floor, Ram Nagar, Shahdara, Delhi-110032.(M-9818108585).