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

% **Date of Decision: 01<sup>st</sup> December, 2025**

+ **W.P.(C) 18082/2025 & CM APPL. 74778/2025**

**LANCERS CONVENT SR SEC SCHOOL**

.....Petitioner

Through: Mr. R.P. Luthra, Mr. Himanshu Luthra, Mr. A.K. Goswami, Mr. Vikas Singh, Mr. Prashant Giri and Mr. Ravinder Singh, Advs.

versus

**MUNICIPAL CORPORATION OF DELHI AND ORS.**

....Respondents

Through: Mr. Manu Chaturvedi, SC with Mr. Kshitiz Kishor Rai, Adv. for MCD Mr. Syed Hussain Adil Taqvi, SPC with Ms. Vaishnavi Gaur and Mr. Waseem, Advs.

**CORAM:**

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

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

1. The present petition has been filed by a School, i.e., Lancers Convent Sr. Secondary School, seeking protection against the actions of the respondents, including, demolition of a safety gate, installed by the petitioner and a neighbouring society, without any prior notice and without following due process of law.
2. Learned counsel appearing for the petitioner submits that petitioner-school, caters to over approximately 5000 students, including, minors and it shares a common public lane with a Cooperative Group Housing Society



(“CGHS”), i.e., New Town CGHS Ltd.

3. It is submitted that the said lane has for several years been plagued by rampant illegal parking nuisance, as well as intoxication and harassment incidents. Thus, in order to secure the safety and welfare of the children, the petitioner installed a manual safety gate at the entry of the shared lane. The petitioner also made an application dated 24<sup>th</sup> September, 2025 before the Municipal Corporation of Delhi (“MCD”) for seeking permission in this regard. However, by way of the order dated 03<sup>rd</sup> October, 2025, the MCD rejected the said application.

4. It is submitted that the petitioner also submitted further representations dated 08<sup>th</sup> October, 2025 to the Traffic Police Department, Rohini Zone and 14<sup>th</sup> October, 2025 to the MCD. However, despite the same, the MCD sought to demolish the said gate on 16<sup>th</sup> October, 2025. Thus, the present petition has been filed with prayer for directions to the respondents to permit the petitioner to install a gate in the lane between the petitioner-School and *New Town CGHS Ltd., Sector 14, Rohini, Delhi*.

5. Responding to the present writ petition, learned counsel appearing for the MCD submits that an application dated 24<sup>th</sup> September, 2025, was received from the petitioner-School after they had already installed the gate in question.

6. It is submitted that letter dated 03<sup>rd</sup> October, 2025 was written by the MCD to the petitioner rejecting the aforesaid application on account of the fact that the petitioner had not completed the codal formalities and had not complied with the guidelines of the Circular dated 25<sup>th</sup> June, 2007, issued by the MCD, with regard to installation of gates.

7. Learned counsel appearing for the MCD submits that the Circular





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dated 25<sup>th</sup> June, 2007, as issued by the MCD, contains the policy/guidelines for installation of gates for security purpose in colony. It is submitted that before installation of a gate, a No Objection Certificate (“NOC”) from Delhi Traffic Police, is required to be obtained. However, in the present case, no such permission was taken.

8. Learned counsel appearing for the MCD has handed over to this Court a letter dated 29<sup>th</sup> October, 2025, received from the Station House Officer (“SHO”), Police Station-Prashant Vihar, District Rohini, Delhi, wherein, the police directed the MCD to take necessary action for removal of the iron gate in question. The letter dated 29<sup>th</sup> October, 2025, issued by the Delhi Police, is reproduced as under:

  
**OFFICE OF THE STATION HOUSE OFFICER POLICE STATION PRASHANT VIHAR, DISTT. ROHINI, DELHI.**  
No. 5044 /SHO/Prashant Vihar, Distt. Rohini, Delhi dated 29/10/2025  
To  
The Executive Engineer (M)-1/RZ,  
Road No. 44, Vill. Pitampura,  
Delhi-110034  
Subject: Request for removal of encroachment in the form of an iron gate between Anirikh Apartment and Lancer Convent School, Prashant Vihar, Rohini, Delhi.  
Sir,  
It is brought to your kind notice that an iron gate has been installed between Anirikh Apartment and Lancer Convent School, Prashant Vihar, Rohini, Delhi, which amounts to unauthorized encroachment on public land and is causing obstruction to free public movement as well as posing a potential law and order issue.  
You are, therefore, requested to kindly take necessary action for removal of the said encroachment (iron gate) at the earliest, in coordination with the local police, to ensure smooth passage and public safety in the area.  
Your cooperation in this regard will be highly appreciated.  
Thanking you,  
  
Executive Engineer  
M-1/Rohini Zone  
Diary No. 11162  
Date: 29/10/25  
S.H.O.  
Police Station  
Prashant Vihar  
29.10.25  
Delhi-53  
209/186-1/RZ  
30/10/25



9. Thus, it is submitted that installation of any gate by the petitioner without following the guidelines, as contained in the Circular dated 25<sup>th</sup> June, 2007 for installation of gates, and without taking a NOC from the Delhi Traffic Police, cannot be allowed.

10. At this stage, learned counsel appearing for the petitioner submits that the petitioner has already applied to the Delhi Traffic Police for issuance of a NOC.

11. Learned counsel appearing for the Deputy Commissioner of Police (Traffic), submits that the prayers made in the present writ petition be considered as a representation to the Delhi Traffic Police, which shall be duly considered by the Delhi Police.

12. Accordingly, considering the submissions made before this Court, it is directed that the present writ petition be considered as a representation by the MCD as well as the Delhi Traffic Police.

13. The Delhi Traffic Police, as well as the MCD, shall consider the representation of the petitioner in terms of the Circular dated 25<sup>th</sup> June, 2007, and pass appropriate orders in accordance with law.

14. Since as per requirement of the MCD, a NOC from the Delhi Traffic Police is mandatory, in the first instance, let the representation of the petitioner be considered by the Delhi Traffic Police.

15. In case required, the Traffic Police shall also call the authorized representative of the petitioner for hearing.

16. After obtaining the requisite NOC from the Delhi Traffic Police, the MCD shall consider the representation of the petitioner for the purposes of installation of the gate in terms of the policy of the MCD.

17. With the aforesaid directions, the present writ petition, along with the



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pending application, stands disposed of.

**MINI PUSHKARNA, J**

**DECEMBER 1, 2025/KR**