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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC011972972016
+ **W.P.(C) 7375/2016 & CM APPL. 30303/2020, CM APPL. 29975/2021, CM APPL. 5260/2023, CM APPL. 7936/2026**
POOJA BURMAN

.....Petitioner

Through: Mr. Sudhir K. Makkar, Sr. Adv. with
Ms. Saumya Gupta, Ms. Sanya C.
Oberoi, Advs.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS

.....Respondents

Through: Mr. Sanjay Poddar, Sr. Adv. with Mr.
Mukesh Gupta, Mr. Govind Kumar,
Ms. Purnima Malik, Mr. Apurv
Kumar, Mr. Sameer Pandey, Advs. for
R-1/
Mr. Piyush Joshi, Ms. Vatsala
Bhatia, Mr. Akshay Sharma, Ms.
Amrita Dwivedi, Advs. for R-2&3
Mr. Deepal Goel, Adv. for MCD
Mr. Shashi Partap Singh, Adv. for
R-5/ DDA

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
17.08.2026

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1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers :-



“a) Issue a writ of certiorari or any other appropriate writ or direction thereby quashing the decision of respondent No. 1 communication in the communication dated 27.04.2026 rejecting the representation of the petitioner;

b) Issue a writ of mandamus or any other appropriate writ or direction thereby directing respondent No. 1 to accord sanction to the building plan submitted by the petitioner in respect of Western Wing of property A-30, West End Colony, New Delhi without putting the pre-condition of obtained No Objection Certificate by the petitioner from the owners of the Eastern wing of property No. A-30, West End Colony, New Delhi...”

2. I have already passed a detailed order in W.P.(C) 6772/2026, wherein the issue raised in the present petition has been addressed primarily.
3. Mr. Poddar, learned senior counsel for the respondent No. 1/ MCD, states that the plan submitted by the petitioner was rejected in 2016 and substantial developments have taken place thereafter.
4. He states that if the petitioner applies in view of the decision dated 08.01.2026, the plan submitted by the petitioner will be considered afresh in accordance with extant rules, regulations, by laws and the decision dated 06.01.2026.
5. The petition is allowed and the petitioner shall apply afresh and his application for sanctioning of plans shall be considered in accordance with MPD-2021 and UBBL-2016.
6. Additionally, the respective shares of co-owners are well-defined in the plot as per the sale deed and there shall not be any necessity for joint



application. The separate building plans for the Western Wing shall be sanctioned subject to stipulations that FAR and ground coverage of all dwelling units in all the buildings put together shall not exceed the applicable FAR and ground coverage of the single undivided plot.

7. The dwelling unit permissible for the entire plot and co-sharers would enjoy the FAR and the ground coverage in their dwelling units on proportionate basis of the total FAR and ground coverage permissible for that plot. This would be in line with the law laid down by the Hon'ble Supreme Court and the provisions of the MPD-2021 and UBBL-2016.
8. The respondent No. 1/MCD shall not insist in any NOC from the co-owners.
9. With these directions, the petition is disposed of.

JASMEET SINGH, J

AUGUST 17, 2026/sp