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

+ **W.P.(C) 360/2024**

RAM KUMAR GOYAL

..... Petitioner

Through: Mr. V.K. Matoo and Mr. Hem Kumar
along with petitioner, Mr. Raj Kumar
Goyal in person.

versus

MUNICIPAL CORPORATION OF DELHI & ORS..... Respondents

Through: Mr. Divya Prakash Pande, SC for
MCD (through v/c)
Ms. Mehak Nakra, ASC (Civil) along
with Mr. Abhishek Khari and Ms.
Disha Choudhary, Advs. for R-2 & 3.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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10.01.2024

1. At the outset, learned counsel for the petitioner submits that there is a typographical error in the cause title of the case. The name of the petitioner is Raj Kumar Goyal and not Ram Kumar Goyal. The affidavit in support of the petition mentions the correct name of the petitioner i.e. Raj Kumar Goyal.

2. The petitioner is directed to file an amended memo of parties within a period of two days.

CM APPL.1632/2024 (Exemption)

3. Allowed, subject to all just exceptions.

4. Application stands disposed of.

W.P.(C) 360/2024 & CM APPL. 1633/2024 (Stay)



5. The present petition seeks revocation of the sanction plan issued by the MCD vide sanctioned building plan File No.10117130 dated 09.11.2023 in respect of part property No.3, Bela Road, Civil Lines (Eastern Side measuring 1270 sq. yards).
6. It is contended by the petitioner that the sanction plan in question could not have been granted without approving the sub-division of the plot in question; the construction in the illegally sub-divided plot ought not to be permitted being contrary to the Unified Building Bye Laws, 2016 and the provisions of Master Plan of Delhi.
7. The petitioner has given a representation in this regard to the MCD on 25.12.2023 which is stated to have remained undecided.
8. After some hearing, the present petition is disposed of with a direction to the respondent no.1 to treat the present petition as a representation and pass a reasoned order thereon within a period of three weeks from today.
9. Mr. Divya Prakash Pande, learned standing counsel for the MCD assures that the competent authority will duly consider the matter and pass a reasoned order within the aforesaid time, after affording an opportunity to learned counsel for the petitioner. The said statement is taken on record.
10. The present petition stands disposed of in terms of the aforesaid directions.

SACHIN DATTA, J

JANUARY 10, 2024/cl