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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 656/2024**
AMRIT DEEP SINGHPetitioner
Through: **Mr. Bhavnesh Dalal, Adv.**

versus

MUNICIPAL CORPORATION OF DELHI & ANR.

.....Respondents
Through: **Mr. Pritish Sabharwal, Adv. for MCD**
Mr. Sanjay Rathi, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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09.09.2024

1. The instant petition has been filed seeking the following reliefs:-

“a) Issue a writ of mandamus or any other appropriate writ, order or direction to the respondent no. 1 to cancel the sanction plan issued to the respondent to carry out construction in the property bearing no. 18, Mansarover Garden Residential Scheme, Near Kirti Nagar, Delhi-110015, and

b) Issue an appropriate writ, order or direction to the respondent no. 1 to declare the construction carried out by the respondent no.2 in the property bearing no. 18, Mansarover Garden Residential Scheme, Near Kirti Nagar, Delhi-110015 as illegal construction and therefore, to carry out a demolition and/or

c) Pass any other or further order as this Hon'ble Court may deem fit in favor of the petitioner in the interest of justice.”

2. The respondent-MCD has placed on record its Status Report, which indicates that the building has been constructed in consonance with the ID No. 10112908 dated 16.03.2023, however, there were certain variations. On an application being filed by the occupier for regularisation, the same has



been regularised and the registration charges, conversion charges and parking charges etc. have been levied on the occupier.

3. Paragraph nos. 2 to 5 of the Status Report filed by the Corporation reads as under:-

“2. That this report is being filed by the Respondent Corporation in pursuance of the order dated 02.02.2024.

3. Grant of sanction (by Regd. Architect, Regd. Engineer, Regd. Supervisor) for Property No. 18, situated at Mansarovar Garden, New Delhi had been obtained in the name of Mr. Sidharth Singh, Plot No. 6, upper ground floor, Mansarovar Garden, Ramesh Nagar, New Delhi over a plot area of 164.62 sqm with permissible ground coverage and FAR @ 75% and 300% respectively vide ill No. 10112908 dt. 16.03.2023 with the attributes basement, stilt, ground floor, first floor, second floor and third floor, through Shalini Singh, Architect, ca/2018/93598 Rio 8A123G, Basement, WEA, Karol Bagh, New Delhi.

4. The building had been constructed in consonance with the ill No. 10112908 dated 16.03.2023 but with some variations. An application for regularization had been filed by Sh. Sidharth Singh on 12.09.2023. The building had been regularized and the applicant had been apprised vide communication bearing I no. Of AE(B)IKBZI2023/1554 dated 15.09.2023.

5. The building has been inspected by the area Junior Engineer(Bldg.) on 09.02.2024. No further ongoing construction has been seen in the property. The property abuts a notified commercial street in the stretch between Kirti Nagar Mayapuri Chowk to Kirti Nagar, Patel Nagar Chowk known as Satguru Ram Singh Road having ROW 30 meter. The ground floor, first floor, second floor and the third floor have been put to commercial use post payment of Registration charges, Conversion charges and Parking charges@ Rs. 1000/-, Rs.18,18,506/- and Rs. 74,878/- respectively vide receipt no. EF 12548 dated 10.11.2023.”

4. In view of the aforesaid, the relief prayed in the instant writ petition cannot be acceded to. Accordingly, the petition stands dismissed.

PURUSHAINDRA KUMAR KAURAV, J.

SEPTEMBER 9, 2024

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