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

+ **W.P.(C) 4544/2023 & CM APPL. 17346/2023**

MRS DARSHAN ARORA

.....Petitioner

Through: Mr.Tarun Singla and Mr.K.C.Joshi,
Advs.

versus

LAND AND DEVELOPMENT OFFICER & ANR.Respondents

Through: Mr.Mukul Singh, CGSC with Ms.Ira
Singh and Mr.Utsav Pokhriyal, Advs
for R-1.
Mr.Badar Mahmood, SC for MCD
and Mr,.Ammar Ahmad, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **18.09.2024**

1. The petitioner in the instant writ petition seeks for the following reliefs:-

"(i) issue appropriate writ/order/direction mandating the respondent no. 1 to issue NOC in favour of the petitioner in respect of the second floor of the property bearing no. C-93, Shivalik, Malviya Nagar, New Delhi-110017 for seeking onward regularization of the said property;

(ii) issue appropriate writ/order /direction mandating the respondent no. 1 to provide NOC to the petitioner in terms of letter dated 03.02.2023 submitted before it and without delay;

(ii) issue appropriate writ/order/direction against the respondent no.2, thereby directing the respondent no.2 to keep in abeyance the letter dated 10/02/2023 through Assistant Engineer (Building) South Zone No. D/2981/AE(Bldg)/ South Zone 2023 whereby the regularization application preferred by the petitioner was rejected, till such time the decision on NOC in respect of subject property



*bearing no. C-93, Shivalik, Malviya Nagar, New Delhi- 110017
taken by respondent no.1;*

*(iv) issue such order or pass such order or direction as may be
deemed necessary and expedient in the interest of justice."*

2. The relief clause clearly indicates that the petitioner is mainly agitating the issue of non-regularisation of the property in question.
3. Learned counsel appearing on behalf of the petitioner, upon being confronted as to why the aforesaid issue cannot be taken before the Appellate Tribunal - Municipal Corporation of Delhi (ATMCD), he unequivocally states that he has already approached the said tribunal.
4. The Court, at this stage, grants liberty to the petitioner to agitate all the issues raised in the instant writ petition before the ATMCD for mitigating his grievance.
5. In addition, learned counsel for the petitioner also submits that the Court may consider directing for recording of the name of the petitioner in the Land and Development Office's (L&DO) record. However, the same is not the prayer sought in the instant writ petition and thus, it cannot be gone into. However, the petitioner is at liberty to take necessary steps in that regard. If the petitioner does so, let the same be considered by the concerned authority, in accordance with law.
7. With the aforesaid observations, nothing more is required to be adjudicated and the instant writ petition along with pending application, stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

SEPTEMBER 18, 2024/MJ