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

+ W.P.(C) 7224/2023 & CM APPL. 28184/2023

NAND RAM

.....Petitioner

Through: Ms. Radhika Chandrasekhar,
Advocate.

versus

MUNICIPAL CORPORATION OF DELHI EARLIER KNOWN
AS SDMC & ANR.

.....Respondents

Through: Mr. Siddhant Nath, SC with Mr.
Bhavishya Makhija, Advocate for
MCD.

Mr. Sanjeev Anand, Sr. Advocate
with Ms. Renu K. and Ms.
Deepshika, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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16.10.2024

1. The petitioner has filed this writ petition under Article 226 of the Constitution complaining of alleged unauthorised construction in premises *No. 153, New Mangalapur, M.G. Road, Mehrauli, New Delhi*. The petitioner has, therefore, sought a direction to the Municipal Corporation of Delhi ["MCD"] to demolish or seal the premises.
2. In the course of proceedings, it appears that respondent No. 2 herein, who is the brother of the writ petitioner and the owner of the said property, made an application for regularisation of the unauthorised construction.



3. MCD has filed a status report dated 10.10.2024 in which it is stated that the application for regularisation has been rejected by order dated 03.10.2024, observing that the location of the site, as marked and verified by the applicant on the zonal development plan of Zone J, does not correspond to the site plan given by the applicant.

4. Mr. Sanjeev Anand, learned Senior Advocate for respondent No. 2, states that an inadvertent error occurred, by which a wrong site has been marked on the development plan. He states that a rectified regularisation application will be submitted to the MCD within one week from today.

5. In the event a rectified application is submitted to MCD within the said period, the MCD will consider the same and pass an appropriate order in accordance with law. If the construction is not regularised, MCD is directed to take action in respect of the unauthorised construction in accordance with law expeditiously, and in any event within eight weeks after disposal of the regularisation application.

6. In the event no application is filed within a period of one week from today, MCD will take such action as required within a period of eight weeks thereafter.

7. In view of the fact that MCD is already seized of the matter and is taking action in respect of the unauthorised construction, no further orders are required in the writ petition, which stands disposed of with the aforesaid directions.

PRATEEK JALAN, J

OCTOBER 16, 2024/MR/