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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5907/2024**
NITIN JOLLY Petitioner

Through: **Mr. Shashi Pratap Singh, Ms. Urvashi
and Ms. Radhika Gupta, Adv.**

versus

MUNICIPAL CORPORATION OF DELHI & ANR..... Respondents
Through: **Mr. Ranjeet Pandey, SC along with
Ms. Mansha and Mr. Anurag Rawal,
Adv. for R-1 and 2/MCD.**

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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30.04.2024

CM APPL.24346/2024 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 5907/2024

1. By way of the present petition, the petitioner seeks a direction to the respondent no.1/MCD to consider the petitioner's application for the purpose of sanction of building plan in respect of property bearing no. F-15, Village Basai Darapur, Rajouri Garden, New Delhi admeasuring 383.34 sq. yards. The said property has been carved out of a larger property admeasuring 1150 sq. yards, and has been mutated in the name of the petitioner, in terms of the decree dated 13.03.2012, passed by the court of ADJ-1, Tis Hazari Court, Delhi.

2. After some hearing, learned counsel for the petitioner and learned



counsel for respondent no.1/MCD, who appears on advance notice, are in agreement that the request of the petitioner seeking sanction of building plan qua the property shall be duly considered by the respondent no.1/MCD in the light of the judgment of a Coordinate Bench of this court in *Sanjeev Malhotra v. MCD* [2022 SCC OnLine Del 1981 : 2022:DHC:2511].

3. For the aforesaid purpose, the petitioner shall submit a fresh application seeking sanction of building plans within a period of two weeks. The said application shall be considered by the respondent no.1/MCD within a period of four weeks thereafter, and shall be disposed of under written intimation to the petitioner.

4. With the aforesaid directions, the present petition stands disposed of.

5. In case, the petitioner is aggrieved with the outcome of the aforesaid exercise, it shall be at liberty to avail appropriate remedies in accordance with law.

SACHIN DATTA, J

APRIL 30, 2024/cl