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

+ **W.P.(C) 9143/2024 & CM APPL. 37403/2024**

HARISH BHARDWAJ & ORS.

.....Petitioners

Through: Mr.Kirti Uppal, Sr.Adv with
Mr.Aditya Raj and Ms.Anju
Aggarwal, Adv.

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr.Raghavendra Pratap Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **11.07.2024**

1. Heard learned senior counsel appearing for the petitioners. He submits that the petitioners have approached this Court only for a limited prayer seeking directions against the respondent-MCD to deal with his pending application in accordance with law.
2. Learned counsel appearing for the respondent-MCD, on advance instructions, points out that the prayer made in the instant petition is in ignorance of the directions passed by the Division Bench of this Court and the permission to regularise the construction in question cannot be acceded to. He, however, does not have any objection to deal with the application filed by the petitioner in accordance with law.
3. Without going into the controversy as to whether, the prayer made by the petitioner for regularisation of construction is acceptable or otherwise, the Court, at this stage, only deems it appropriate to dispose of the instant



petition with the following directions.

- (i) Let the respondent-MCD to decide the pending application for regularisation after extending an opportunity of hearing to the petitioner within a period of 15 days from today.
 - (ii) If the respondent-MCD has not accepted the application submitted by the petitioner, let the instant petition itself be considered to be the application to have been submitted by the petitioner.
 - (iii) The decision, if any, is adverse to the petitioner, the recourse can be taken by the petitioner in accordance with law before the appropriate Court/forum.
4. The instant petition stands disposed of along with pending application.
5. All rights and contentions of the parties are left open.

PURUSHAINDRA KUMAR KAURAV, J

JULY 11, 2024/MJ