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

+ W.P.(C) 10686/2024 & CM APPL. 43929/2024

PURSHOTTAM GARG & ORS.

.....Petitioners

Through: Mr. Kirti Uppal, Sr. Advocate with
Mr. Aditya Raj, Mr. Pratham
Diwakar, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Umang Tyagi, ASC with Ms.
Aditi Kapoor, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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23.10.2024

1. The petitioners made an application for regularisation of construction on their property on 03.06.2024. They then filed this petition for a direction that the regularisation application be allowed, and alternatively for a direction to the Municipal Corporation of Delhi ["MCD"] to decide the application as expeditiously as possible.

2. MCD has placed on record a status report dated 24.09.2024, which states that the regularisation application has been rejected by an order dated 20.09.2024. A copy of the said order has also been placed on record.

3. Mr. Kirti Uppal, learned Senior Counsel for the petitioners, submits that the regularisation application has been wrongly rejected on grounds that are extraneous to the consideration of such an application.



4. Mr. Umang Tyagi, learned counsel for the MCD points out that the rejection order is appealable before the Appellate Tribunal for the MCD [“ATMCD”] under Section 347(B) of the Delhi Municipal Corporation Act, 1957.

5. In these circumstances, the petitioners are relegated to their remedies before the ATMCD, and all rights and contentions of the parties are left open for adjudication by the ATMCD.

6. The petition, alongwith the pending application, is disposed of in these terms.

PRATEEK JALAN, J

OCTOBER 23, 2024

‘Bhupi’/