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

+ LPA 773/2019 & CM APPL. 53413/2019

HARMINDER SINGH Appellant

Through: Mr. Manish Kumar, Advocate

versus

**NORTH DELHI MUNICIPAL
CORPORATION & ORS** Respondent

Through: Ms. Namrata Mukim, Standing
Counsel, MCD/ R-1 and 2
Mr. Murari Kumar and Mr. Shiv
Shankar, Advocates for R-3
Mr. Parth Goyal, Advocate for Mr.
Jawahar Raja, ASC(C), GNCTD, R-4

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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11.01.2024

1. Learned counsel for the Respondent, Municipal Corporation of Delhi ('MCD') states that the Petitioner has erroneously applied for revalidation of the sanctioned plan instead of applying afresh in accordance with the last order dated 05th October, 2023. It is pertinent to mention that the last order dated 05th October, 2023 reads as under:

*"1. The learned counsel appearing for North Delhi Municipal Corporation ('NDMC') states that the appellant had visited the NDMC office, and has been informed that the appellant can either apply afresh for alteration of the existing building or apply for an additional floor separately.
2. She also states that if the appellant makes a request for considering his application based on the fees already paid, the same would be duly considered.*



3. *In the event, the appellant makes a fresh application with a request for considering the same on fees already paid within a period of two weeks from today, the NDMC shall consider the same and pass an appropriate order before the next date of hearing.*

4. *It is clarified that there will be no requirement to take the consent of the co-owners.*

5. *List on 11.01.2024.”*

2. After some arguments, learned counsel for the Petitioner states that the Petitioner shall apply afresh in accordance with the order dated 05th October, 2023. He prays that the present writ petition be disposed of in accordance with the order dated 05th October, 2023.

3. Learned counsels for the Respondents have no objection to the same.

4. Accordingly, the present writ petition is disposed of in accordance with the order dated 05th October, 2023 giving liberty to the Petitioner to apply afresh for alteration of the existing building or for an additional floor separately or in accordance with the order dated 05th October, 2023. Pending application is disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

JANUARY 11, 2024/msh