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

+ W.P.(C) 14813/2024
NEHA PURI

.....Petitioner

Through: Mr. Manav Bhalla, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI
AND ORS.

.....Respondents

Through: Mr. Arjun Mahajan, SC with Mr.
Apoorv Upmanyu, Advocate for
R-1 and 2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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22.10.2024

CM APPL. 62260/2024 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 14813/2024

1. The petitioner has submitted a complaint dated 10.09.2024 (wrongly stated as 10.08.2024) with regard to alleged illegal construction of a hospital at J-4, Green Park Extension, Ch. Hukum Chand Marg, New Delhi ["the subject property"]. It is stated in the writ petition that the petitioner is the president of the local Resident Welfare Association.

2. The relief sought in the writ petition is as follows:

"A. Issue a writ of mandamus to Respondent No.1 and Respondent No.2, and directing them to give a detailed speaking response to the complaints and concerns raised by the Petitioner on behalf of the residential society in complaints dated 10.09.2024 and RTIs dated 14.09.2024;"

3. Mr. Arjun Mahajan, learned counsel, who appears for the



Municipal Corporation of Delhi [“MCD”] on advance instructions, states that the construction and establishment of a nursing home at the subject property is in accordance with law. He has handed over a copy of a regularisation order dated 14.06.2024 issued to the owner/occupant of the premises, which also includes permission for running a nursing home subject to the conditions mentioned therein. A copy of the said communication has also been handed over to learned counsel for the petitioner.

4. In view of the above, the petitioner’s representation effectively stands answered, and no further orders are required in this writ petition.

5. MCD is always at liberty to take action in respect of any non-compliance of conditions contained in the said letter. The rights and remedies of the petitioner to challenge the regularisation order dated 14.06.2024 in accordance with law, also remain reserved.

6. It is made clear that this order is passed without prejudice to the rights and contentions of the owners/occupants of the subject property, including respondent No. 3 herein. If any action is contemplated by MCD, same will be taken in accordance with law and after compliance of all statutory formalities.

7. The petition is disposed of in terms of the above.

PRATEEK JALAN, J

OCTOBER 22, 2024/“Bhupi”/