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

+ **W.P.(C) 2442/2025**

SEEMA SULTAN

.....Petitioner

Through: Mr. Shoaib Akhtar, Advocate.

versus

**MUNICIPAL CORPORATION OF DELHI
AND ANR.**

.....Respondents

Through: Mr. Ranjeet Pandey, Standing
Counsel with Ms. Mansha, Advocates.

**CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH**

ORDER

28.02.2025

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CM APPL. 11613-14/2025

1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

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3. This writ petition is preferred on behalf of the Petitioner under Articles 226 and 227 of the Constitution of India seeking a direction to MCD to approve and regularise the existing construction in property bearing Plot No. T-146/6/1, ad measuring 300 sq. yds. in Khasra No. 68, Village Kilokari Chowk, Hari Nagar, Ashram Jagannath Market, Mathura Road, New Delhi.
4. Issue notice.
5. Mr. Ranjeet Pandey, learned Standing Counsel accepts notice on behalf of MCD.



6. Learned counsel for the Petitioner submits that despite several requests made by the Petitioner for regularisation of the existing construction in the subject property, there is no action by MCD on the regularisation application and the same is pending consideration since 26.06.2024. It is also submitted that Respondent No. 2 had sought certain documents in this regard from the Petitioner on 16.07.2024, which were furnished on 05.08.2024. Additional documents sought on 06.12.2024 were also handed over on 14.12.2024 yet no action has been taken by MCD.

7. Learned Standing counsel for MCD, on instructions, submits that vide letter dated 06.12.2024, Petitioner was asked to furnish copy of part layout plan of the area showing the location of the property as well as the complete chain of ownership and the latest property tax receipt, however, learned counsel for the Petitioner has not provided the said documents and in the absence of these documents, MCD is unable to process the application for regularisation.

8. In response to this submission, learned counsel for the Petitioner submits that Petitioner had duly responded to the communication of MCD vide reply dated 14.12.2024 and pointed out that Petitioner does not possess the layout plan of the area and the same is supposed to be in the custody of MCD. However, old layout plan was submitted to prove that there was a residential colony even in the past in the concerned area. Copy of the latest property tax receipt was submitted along with documents reflecting the complete ownership chain and therefore it is incorrect for the MCD to take a stand that deficiency lies at the end of the Petitioner.

9. Having heard counsels for the parties and with their consent, this writ petition is disposed of directing MCD to call the Petitioner for a hearing



before Mr. Anil Bansal, Assistant Engineer, Building Department, Central Zone on 10.03.2025 at 03.00 PM to identify the location of the property on the layout plan, which is in the custody of MCD. Since the remaining set of documents required by MCD have already been furnished, MCD will take steps to process the case of the Petitioner after the personal hearing and depending on its outcome. The needful shall be done as expeditiously as possible and not later than six weeks from the date of personal hearing.

10. In case of any further grievance, Petitioner may take recourse to appropriate legal remedies.

JYOTI SINGH, J

FEBRUARY 28, 2025/shivam