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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 4802/2025, CM APPL. 22071/2025 & CM APPL.
30606/2025

SHRIMATI GEETA TYAGI AND ANOTHERPetitioners

Through: Mr. R. K. Saini, Adv.

versus

MUNICIPAL CORPORATION OF DELHI AND
OTHERS

.....Respondents

Through: Mr. Kapil Dutta and Mr. Vansh
Luthra, Advs. for R-1
M: 9811135509
Ms. Sangita Malhotra, SPC with Ms.
Urvashi Rajput, Adv. for R-6
M: 8826587368

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
% **23.05.2025**

CM APPL. 30606/2025

1. The present is a joint application under Section 151 of Code of the Civil Procedure, 1908 ("CPC"), for withdrawal of the writ petition on the basis given by undertaking of respondent no.5.
2. Learned counsel appearing for the petitioners submits that the present petition had been filed seeking directions against respondent no.5 for alleged illegal/unauthorized construction in the property bearing *Flat No. B-2/34/C, Lawrence Road, Delhi-110035*.
3. It is submitted that, now, respondent no.5 has given an undertaking as



follows:

“xxx xxx xxx

3. That however now the respondent No. 5 has given an undertaking (Annexed herewith as ANNEXURE-1) stating that:

i. The offending toilet sewage pipes and iron beams affixed to the side wall have been removed;

ii. I undertake not to raise any illegal/unauthorized construction in further, particularly any toilet/bathroom above the bedroom of Flat No. B-2/34 B, Lawrence Road, Delhi-110035.

iii. I further undertake to repair any damage caused to Flat No. B-2/24 B due to the earlier construction or renovation carried out by him;

iv. Photographic evidence of removal of the toilet pipes and iron beams is annexed with marked as ANNEXURE-2.

xxx xxx xxx”

4. The undertaking as given on behalf of respondent no. 5, has been attached along with the present application, which is taken note of and the same is also taken on record.

5. It is submitted that in view of the aforesaid voluntary undertaking given by respondent no. 5, and in the interest of restoring peace and good neighborly relations, the petitioners do not wish to pursue the present petition, any further.

6. Thus, it is submitted that permission may be granted to the petitioners to withdraw the present writ petition as ‘not pressed’.

7. Issue notice. Notice is accepted by learned counsels appearing for the respondents.

8. Learned counsels appearing for the respondents submit that they have no objection if the present application is allowed.



9. Accordingly, considering the submissions made before this Court, the present application is allowed, and the petitioners are granted liberty to withdraw the present writ petition.

10. Accordingly, noting the aforesaid, the present application is disposed of.

W.P.(C) 4802/2025

11. In view of the order passed in *CM APPL. 30606/2025*, the present writ petition, along with the pending applications, stands dismissed as withdrawn.

MINI PUSHKARNA, J

MAY 23, 2025/kr