



2025:DHC:9300



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

% **Date of Decision: 16th October, 2025**

+ W.P.(C) 3913/2025 & CM APPL. 47873/2025

RAM JEEVAN SHARMA

.....Petitioner

Through: Mr. AK Suri, Ms. Meenakshi
Choudhary and Mr. Ankit Kansal,
Advocates (M:9212064243)

versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondents

Through: Mr. Vikas Chopra, SC-MCD with Mr.
Neeraj Kumar, Advocate
(M:9212036118)
Mr. Arjun Mahajan, SC with Mr.
Apoorv Upmanyu, Mr. Harsh
Vashisht, Advocates for STF
(M:9810047321)

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+ W.P.(C) 4916/2025 & CM APPL. 22580/2025, CM APPL.
22581/2025

KRISHAN CHAUHAN

.....Petitioner

Through: Mr. Manoj Kumar, Advocate
(M:9810204312)

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Rakesh Malhotra, Mr. Bharat
Malhotra, Ms. Smritika Kesri,
Advocates for MCD (M:8447151507)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (ORAL):



1. The present writ petitions pertain to the unauthorized construction over the property bearing *No. B-7, C-58, Shardapuri, Ramesh Nagar, Delhi-110015*.
2. *W.P.(C) 3913/2025* had been filed, which was disposed of *vide* order dated 28th March, 2025, noting that part action has already been taken by the Municipal Corporation of Delhi (“MCD”) and that further action was planned for 04th April, 2025.
3. Since, no further action was taken by the MCD, an application being *CM APPL. 47873/2025* has been filed in *W.P.(C) 3913/2025*, for revival of the present writ petition.
4. *W.P.(C) 4916/2025* has been filed by the occupier of the property bearing *No. B-7, C-58, Shardapuri, Ramesh Nagar, Delhi-110015* on the ground that part demolition action was taken by the MCD in the property in question in the year 2018, and after that no further show cause notice was issued to the petitioner.
5. Subsequently, a Vacation Notice was issued by the MCD in the year 2025, on account of which, *W.P.(C) 4916/2025*, was filed.
6. When *W.P.(C) 4916/2025* was listed for hearing on the first date, this Court *vide* order dated 17th April, 2025 had issued the direction that no coercive action shall be taken against the property in question, till the next date of hearing. The said interim order is still continuing till date.
7. This Court is informed that there is a property dispute which is pending between the petitioner in *W.P.(C) 3913/2025*, and petitioner in *W.P.(C) 4916/2025*.
8. Learned counsel appearing for petitioner in *W.P.(C) 4916/2025*, who is the occupier of the property in question, submits that he had earlier



approached the MCD for the purposes of regularization of the existing construction. However, he was informed that no such application shall be entertained by the MCD, since a title dispute is pending with respect to the property in question.

9. Learned counsel for the petitioner in *W.P.(C) 3913/2025* confirms that a property dispute is pending between the parties. He submits that a title suit being *CS/DJ/690/2023*, has been filed on behalf of the petitioner in *W.P.(C) 3913/2025*, in which the petitioner in *W.P.(C) 4916/2025*, is a defendant.

10. In view of the submissions made before this Court, this Court is of the considered view that the process of this Court shall not be used for the purposes of settling personal scores between the parties. Merely because there is a private dispute with regard to title and ownership of the property in question between the petitioner in *W.P.(C) 3913/2025* and petitioner in *W.P.(C) 4916/2025*, the Court will not be a party to such disputes between the parties.

11. Accordingly, it is directed that without going into the issue of title or ownership of the property, the MCD shall consider the application of the petitioner in *W.P.(C) 4916/2025*, who is the occupant of the property in question, for regularization of the property in question.

12. Liberty is accordingly granted to the petitioner in *W.P.(C) 4916/2025* to file an application for regularization of the existing construction.

13. Upon receipt of such application, the MCD shall consider the said application and pass appropriate orders. However, at the time of considering the application, the MCD shall not go into the issue of title or ownership of the property in question.

14. It is further clarified that merely because regularization application is



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being allowed to be filed by the petitioner in *W.P.(C) 4916/2025*, or any regularization order that may be passed by the MCD, the same shall not confer any special equity on the petitioner in *W.P.(C) 4916/2025*.

15. It is clarified that the issue as regards the rights and title of the property in question, shall be decided in the suit, which is pending between the parties.

16. With the aforesaid directions, the present petitions, along with pending applications, are accordingly disposed of.

MINI PUSHKARNA, J

OCTOBER 16, 2025/au