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

+ W.P.(C) 5060/2025

SAPNA GOYAL & ANR.

.....Petitioners

Through: Ms. Priya Kumar, Sr. Advocate with
Mr. Simran Mehta, Mr. Giridhar
Kumar Thakur, and Mr. Amit Ranjan,
Advocates with petitioners in person

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Pritish Sabharwal, Advocate for
MCD
M:9871878690
E-mail:pritishsabharwal1@gmail.com

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+ W.P.(C) 17596/2024, CM APPL. 10574/2025

MEERA GOYAL

.....Petitioner

Through: Ms. Priya Kumar, Sr. Advocate with
Mr. Simran Mehta, Mr. Giridhar
Kumar Thakur, and Mr. Amit Ranjan,
Advocates with petitioner in person

versus

MUNICIPAL CORPORATION OF DELHI, & ORS.

.....Respondents

Through: Mr. Dhruv Rohtagi, Ms. Chandrika
Sachdev and Mr. Dhruv Kumar,
Advocates for R-3

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

08.05.2025

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CM APPL. 28099/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

CM APPL. 28098/2025 in W.P.(C) 5060/2025

3. The present application has been filed under Section 151 of the Code of Civil Procedure, 1908 (“CPC”), on behalf of the applicant, i.e., Meera Goyal, for recall of the order dated 22nd April, 2025 passed in the present writ petition.
4. Learned Senior Counsel appearing for the applicant submits that Meera Goyal W/o Dr. Suresh Goyal, is the petitioner in prior writ petition, being *W.P. (C) Nos. 1090/2024*, and also in *W.P.(C)17596/2024*.
5. She further submits that the present application has been filed since the order dated 22nd April, 2025, has been obtained by playing fraud on this Court by suppressing the material facts in relation to past and subsisting litigation between the applicant, the petitioners, and the Municipal Corporation of Delhi (“MCD”).
6. She draws the attention of this Court to the construction being carried out in the property in question, and in particular, to the two photographs, which are attached as *Annexure-8* to the present application, which shows the extent of the construction in the property in question.
7. Learned Senior Counsel for the applicant also draws the attention of this Court to the order dated 17th March, 2025, passed by this Court in *W.P. (C) 17596/2024*.
8. Accordingly, issue notice.
9. Notice is accepted by the learned counsels appearing for the MCD, as well as, for the petitioners.



10. Learned counsel appearing for the petitioners, i.e., Sapna Goyal in W.P.(C) 5060/2025, submits that all the non-compoundable deviations have already been removed. It is further submitted that an application for regularization is pending before the MCD.

11. Responding to the same, learned Senior Counsel appearing for the applicant, points out that the MCD has already in its order dated 13th February, 2025, issued by the office of the Executive Engineer (Bldg)-I, Central Zone, Lajpat Nagar, New Delhi, detailed the non-compoundable portions. The deviations as pointed out by the MCD, in its order dated 13th February, 2025, are reproduced as under:-

- “1. The existing construction is in violation of sanctioned building plan as there exists the second floor.*
- 2. There is infringement in the rear setback. .*
- 3. There are columns erected in the front open area.*
- 4. The basement has been extended in the rear setback beyond the building line.*
- 5. Apart from above, the processing fee required to be deposited, as mandated under the Unified Building Bye-Laws-2016, was also not deposited by the applicant.”*

12. In view of the submission made by the learned counsel appearing for the petitioner, i.e., Meera Goyal in W.P.(C) 17596/2024, it is directed that the MCD shall file its Status Report, specifically indicating as to whether the non-compoundable construction/deviations, have been removed by the petitioners.

13. It is clarified that this Court has not expressed any opinion on the Regularization Application of the petitioner, i.e., Sapna Goyal in W.P.(C) 5060/2025, which shall be considered by the MCD, on its own merits.

14. Let reply be filed within a period of four weeks.

15. Rejoinder thereto, if any, be filed, within a period of two weeks,



thereafter.

16. Re-notify on 12th August, 2025.

MINI PUSHKARNA, J

MAY 8, 2025/akr