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

+ W.P.(C) 5365/2025, CM APPL. 24427/2025 & CM APPL.
24428/2025

SHRUTI GARG

.....Petitioner

Through: Mr. P.S. Bindra, Senior Advocate
with Mr. Manish Kaushik and Mr.
Mainak Sarkar, Advocates
M. 9818218885

versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Mr. Rakesh Malhotra and Mr. Taksh
Suri, Advocates for R-1.
Ms. Gauri Goburdhun, Senior Panel
Counsel for R-5
M. 9910200994
Email. gauri@gmail.com.
Mr. Ankit Jain, Senior Advocate with
Ms. Devika Mohan, Mr. Rahul Verma
and Mr. Aditya Chauhan, Advocates
for R-6
M. 9560044698

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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25.04.2025

1. The present writ petition has been filed for directing the respondents to take legal action against unlawful regularisation, illegal construction and de-sealing in respect of the premises no. 12/20 and 12/19 W.E.A., Karol Bagh, New Delhi.



2. Learned Senior Counsel appearing for the petitioner draws the attention of this Court to the photographs of the building in question to submit that shops are being operated from the stilt area.

3. Thus, he submits that regularisation of the building could not have been done.

4. *Per contra*, learned Senior Counsel for the respondent no. 6, who is the owner of the building in question, submits that the petitioner, by way of four sale deeds, has purchased a shop in the basement area for plot no. 12/20. Thus, he submits that the petitioner has no association or has no right over property no. 12/19. He further draws the attention of this Court to the prayer clause of the present petition, which pertains to property *no. 12/19 as well as 12/20, W.E.A., Karol Bagh, New Delhi*.

5. He further submits that the present petition has been filed by the petitioner to harass the respondent no. 6.

6. Without going into any other controversy, with regard to the regularisation of the property in question, this Court is of the *prima-facie* view, on the basis of the photograph which has been shown to this Court by the learned Senior Counsel for the petitioner, that stilt area which has been sanctioned by the Municipal Corporation of Delhi (“MCD”), can be used for the purposes of parking, and not for any other commercial activities.

7. At this stage, learned Senior Counsel appearing for the respondent no. 6 submits and undertakes, that no shops shall be operated from the stilt area.

8. The aforesaid undertaking is taken note of and the respondent no. 6 is bound by the same.

9. Noting the aforesaid and considering the facts that the present petition is essentially against an order of regularisation passed by the MCD, liberty is



granted to the petitioner to approach the learned Appellate Tribunal, MCD (“ATMCD”), for challenging the order of regularisation passed by the MCD, if the petitioner, is so aggrieved by it.

10. Rights and contentions of all the parties are left open. It is clarified that this Court has not expressed any opinion on the merits of the case or on the issue of limitation.

11. With the aforesaid observation, the present petition, along with the pending applications, stands disposed of.

MINI PUSHKARNA, J

APRIL 25, 2025/rk