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

+ W.P.(C) 5625/2025 & CM APPL. 25623/2025

SMT MANJEET KAUR

.....Petitioner

Through: Mr. Rakesh Chander Agarwal with
Mr. Sandeep Dhanka and Ms. Kartik
Kumar Agarwal, Advocates
M: 9891903838
Email: abcllepal@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Ms. Anuj Gupta, Advocate
M: 7834814477
Email:
anujassociates2018@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **30.04.2025**

1. The present writ petition has been filed seeking directions to grant permission to the petitioner by the respondent, i.e., Municipal Corporation of Delhi ("MCD"), to carry out repair in the property in question, i.e., 1/11644 A-48 New Number A-75 Panchsheel Garden, Naveen Shahdara, Delhi-110032, in accordance with the Unified Building Bye-Laws for Delhi, 2016.
2. Issue Notice. Notice is accepted by the learned counsel appearing for the respondent/MCD, who draws the attention of this Court to the order dated 1st May, 2019, passed by the Court of learned Additional Senior Civil

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Judge (Shahdara), Karkardooma Courts, Delhi in *Case no. 11050/2016* titled as “*Gurmeet Singh Versus Harjeet Singh & Ors.*” wherein, the husband of the petitioner, herein was a party as defendant no. 1. The said suit was disposed of in following manner:

“xxx xxx xxx

18. Hence, in view of the aforementioned discussion, the suit of plaintiff is partly decreed with costs qua relief of permanent injunction and defendant no. 1 is restrained from carrying out construction/alteration in the suit property without obtaining prior sanction from EDMC. Defendant no. 1 is also restrained from making any structural change in the suit property in any manner which will be detrimental to the adjoining property. The prayers qua mandatory injunction are dismissed.

xxx xxx xxx”

(Emphasis Supplied)

3. By referring to the aforesaid order, learned counsel appearing for the MCD submits that there is already an order, as per which, the petitioner herein, is not allowed to carry out any construction/alteration in property in question, without obtaining prior sanction from the MCD.
4. Learned counsel appearing for the MCD further submits that no application has been filed currently with the MCD, with respect to taking any permission, for carrying out any construction/ alteration in the property, in question.
5. Responding the aforesaid submissions, learned counsel appearing for the petitioner submits that the husband of the petitioner has expired in the year 2019. He submits that the petitioner shall take the requisite permission from the MCD with respect to any construction/ renovation work, to be carried out in the property in question.
6. He further submits that on account of the termite, window of the petitioner’s property had fallen down, due to which, certain work was



initiated. However, he submits that further work shall be carried out, only after seeking requisite permission, from the MCD.

7. Accordingly, liberty is granted to the petitioner to file an application with the Deputy Commissioner of Shahadra (North) Zone, MCD.

8. In the said application the petitioner will specify the renovation work which is required to be carried out in the petitioner's premises. Upon the receipt of the application of the petitioner for renovation work, the same shall be considered by the respondent/MCD, in accordance with law. At the time of deciding the application, the petitioner shall be granted personal hearing also.

9. The application of the petitioner shall be considered expeditiously, preferably, within a period of four weeks, after receipt of the application from the petitioner.

10. In case, the petitioner is aggrieved by any order passed by the respondent/MCD, he shall be at liberty to seek his remedy, as per the law.

11. With the aforesaid directions, the present writ petition, along with the pending application, stands disposed of.

MINI PUSHKARNA, J

APRIL 30, 2025

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