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

+ W.P.(C) 7070/2025 & CM APPL. 31930/2025, CM APPL.
31931/2025

VARSHA JAIN

.....Petitioner

Through: Mr. V.K. Mantoo, Mr. Hem Kumar,
Mrs. Nupur Mantoo, Advocates
(M:9717787857)

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Ms. Shilpa Ohri, Advocate for MCD

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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23.05.2025

1. The present writ petition has been filed with a prayer for directions to respondent no. 1 to remove the encroachment of public land made by respondent no. 3 at the property bearing no. C-5/100, Yamuna Vihar, Delhi-110093.
2. There is a further prayer for directions to respondent no. 1 to reconsider the petitioner's application dated 23rd April, 2024, for sanction of building plan under the Saral Scheme.
3. *Per contra*, learned counsel for respondent no. 1/Municipal Corporation of Delhi ("MCD"), on advance notice, submits that the petitioner claims to be the owner of the terrace in the property in question.
4. In furtherance to aforesaid, she submits that the property in question is constructed on the ground floor and first floor, and as per the owner/occupier of the ground floor and first floor of the said property, the



said construction is an old construction, over which it is not possible to carry out any further construction.

5. She further informs this Court that against the rejection of petitioner's application for sanction of building plan, the petitioner has already approached the Appellate Tribunal MCD ("ATMCD").

6. At this stage, learned counsel for the petitioner submits that the petitioner has approached this Court only for the purposes of removal of encroachment, as ATMCD cannot grant such directions.

7. Accordingly, MCD is directed to inspect the property in question, and take action, in accordance with law.

8. With the aforesaid directions, the present writ petition, along with pending applications, is disposed of.

MINI PUSHKARNA, J

MAY 23, 2025/au