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

+ W.P.(C) 7842/2024 & CM APPL. 32456/2024

KULSUM BI

.....Petitioner

Through: Ms. Sana Ansari and Mr. I. Ahmed,
Advocates

Mob: 9818053386

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Abhinav Sharma and Mr.
Mahender Shukla, Advocates for
MCD

Mob: 9717227945

Email: mahendershukla8@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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12.09.2025

1. The present writ petition has been filed seeking directions to the respondent nos. 1 to 3, to take action against the unauthorized construction at property bearing No. 1773, Ward No. XI, situated at Kucha Dakhni Rai, Daryaganj, Delhi-110006.

2. When the present matter was listed on 25th August, 2025, this Court had noted as follows:

"1. The present writ petition has been filed seeking directions to the respondent nos. 1 to 3, to take legal action against the illegal encroachment at property bearing No. 1773, Ward No. XI, situated at Kucha Dakhni Rai, Daryaganj, Delhi-110006.

2. Learned counsel for respondent-Municipal Corporation of Delhi ("MCD") has handed over copy of the letter dated 12th June, 2025 to submit that construction in the property in question already stands regularized. The same is taken on record.



3. In light of the aforesaid, this Court is of the view that the petitioner has the liberty to challenge the regularization of the property carried out by the MCD, if the petitioner is so aggrieved.

4. At this stage, learned counsel for the petitioner submits that the main counsel is not available, on account of some personal difficulty.

5. Accordingly, re-notify on 02nd September, 2025.”

(Emphasis Supplied)

3. The letter of regularization dated 12th June, 2025, as handed over by the learned counsel appearing for respondent no. 1-Municipal Corporation of Delhi (“MCD”), is reproduced as under:

Ham S(R) 12/07/25

MUNICIPAL CORPORATION OF DELHI
Office of the Executive Engineer (B)-II, City-S.P. Zone
2nd Floor, Nigam Bhawan, Old Hindi College
Kashmere Gate, Delhi-110006

No. EE(B)-II/CSPZ/2025/D-258 Dated: 12.06.2025

To,
Mr. Haji Qayamuddin,
R/o. 328, Main Bazar, Delhi Gate
Darya Ganj, New Delhi-110002
Ms. Sanjeeda Begum,
328, Main Bazar, Delhi Gate
Darya Ganj, New Delhi-110002

Subject :- Regarding Regularization Plan of Property No. 1773, Situated at Kucha Dakhni Rai, Kalan Mahal, Darya Ganj, New Delhi-110002

File No. F-17/Reg./EE(B)-II/CSPZ/2024 Dated:-18.11.2024

With reference to your application vide file No. F-17/Reg./EE(B)-II/CSPZ/2024 dated 18.11.2024, regarding the regularization of above said property, the competent authority has approved the regularization of the existing structure/building at Property No. 1773, Situated at Kucha Dakhni Rai, Kalan Mahal, Darya Ganj, New Delhi-110002.

The owner/applicant has deposited the compounding/regularization charges & One amounting of Rs. 5,06,000/- (Rs. Five Lacs Sixty Thousand Only) vide G-8 receipt No. EFD3600602 (Budget Head IV-115-0242, merged with IV-115-0151) dated 12.06.2025.

The property has been regularized subject to following conditions:-

1. The owner/applicant shall not be allowed to carry out further construction, addition/alteration etc. except repairs and finishing of the existing structure as per regularization plan only.
2. The regularization of the existing structure shall become Null & Void ab-initio in the event of violation of the terms of regularization by the owner or in case of any dispute having arisen by way of litigation/court case.
3. No further FAR shall be claimed in future by the owner without further plan sanction.

Copy of regularization plan is enclosed herewith.

Assistant Engineer (B)
City-S.P. Zone, MCD

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 15/09/2025 at 12:25:24



4. Perusal of the aforesaid shows that the property in question has been regularized by the Office of the Executive Engineer (B)-II, City-S.P. Zone.
5. At this stage, learned counsel appearing for the petitioner submits that dispute as regards the title of the property in question is pending between the petitioner and Ms. Raisa, from whom the respondent nos. 4 and 5 claim to have purchased the property in question.
6. If that be the case, it is clarified that this Court has not given any finding on the right, title and interest of the property in question.
7. It is further clarified that merely on account of the fact that the construction in the property in question has been regularized, the same shall confer no special equity on respondent nos. 4 and 5, and would have no bearing on the title dispute, which is pending with respect to the property in question.
8. Needless to state, in case, the petitioner is aggrieved by the regularization of the property in question, the petitioner is at liberty to seek her remedies, in accordance with law.
9. Noting the aforesaid, the present writ petition, along with the pending application, is disposed of.

MINI PUSHKARNA, J

SEPTEMBER 12, 2025

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