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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 11617/2025, CM APPL. 47566/2025 & CM APPL.
47567/2025

RANTEJ SINGH BOPARAI

.....Petitioner

Through: Mr. Sunil Satyarthi, Mr. Amitanshu
Satyarthi and Mr. Kaibalya Kumar
Ojha, Advs.
M: 9811060737

versus

MUNICIPAL CORPORATION OF DELHI AND
OTHERS

.....Respondents

Through: Ms. Akanksha Gupta, Adv. for R-1
M: 9013799111

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
05.08.2025

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1. The present writ petition has been filed seeking directions to quash the refusal of sanction of construction *vide* letter dated 08th November, 2024 issued by respondent no. 1. There is a further prayer for direction to the respondent no. 1 to grant sanction for construction upon terrace above the second floor of the property bearing no. Q-4, *area admeasuring 200 sq. yards, Rajouri Garden, New Delhi, without the permission of respondent nos. 2 to 4.*

2. Learned counsel appearing for respondent no.1, i.e., Municipal Corporation of Delhi ("MCD"), on advance notice, submits that the



petitioner had filed an application for sanction of the building plan *vide* online portal on 16th September, 2024. She submits that since there were certain discrepancies in the said applications, consequently application was referred back to the petitioner on 09th October, 2024, and list of the various documents which were required to be submitted by the petitioner, was uploaded on the website as follows:

(under section 335(1) & (2) of DMC Act)

- 1) Upload complete chain of ownership documents with flow chart.
 - 2) No digital signature of owner on documents.
 - 3) The old SBP is not clearly visible/readable.
 - 4) Old sanction letter is not uploaded.
 - 5) Architect, structural engineer, engineer registration certificate to be uploaded.
 - 6) ID proof of owners not signed.
 - 7) No photograph of owners uploaded.
 - 8) Proposal needs corrections as per amended UBBL-2016 & MPD-2021.
 - 9) All Mandatory Certificates as per amended UBBL-2016 to be incorporated in proposal.
 - 10) Old Completion certificate is to be uploaded.
 - 11) Undertaking and certificate regarding the status of road on which property exists to be incorporated in proposal.
 - 12) Drawing to be corrected as per UBBLs-2016.
 - 13) All the documents must be signed by the Architect as well as owner.
 - 14) Any short coming noticed during further scrutiny at later stage(if any) shall be conveyed accordingly.
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3. She, thus, submits that since the requisite documents were not filed by the petitioner, the computer generated refusal of sanction, which has been impugned in the present writ petition, was generated.

4. Learned counsel appearing for the petitioner submits that he has already submitted the requisite documents.

5. Learned counsel appearing for the petitioner further submits that since the petitioner has already deposited the fees at the time of applying for the sanction of building plan, the earlier application filed by the petitioner be revived.



6. Responding to the same, learned counsel appearing for the MCD relies upon Section 335(2) of the Delhi Municipal Corporation Act, 1957 (“DMC Act”), which reads as under:

“xxx xxx xxx

335. Conditions of valid notice

xxx xxx xxx

(2) No notice shall be valid until the information required under sub-section (1) and any further information and plans which may be required by bye-laws made in this behalf have been furnished to the satisfaction of the Commissioner along with the notice.

xxx xxx xxx”

7. Thus, it is submitted that since the requisite documents were not filed by the petitioner, the said application already stands rejected. Thus, she submits that the same cannot be revived.

8. Be that as it may, since the whole process of grant of sanction of building plan is now online, and the MCD found discrepancies in the application of the petitioner, it is directed that the petitioner shall file a fresh application, along with requisite documents, for grant of sanction.

9. In case of any discrepancy in the application of the petitioner, the same shall be duly uploaded on the website of the MCD and accordingly, the petitioner shall file any other further documents, as may be required by the MCD for the said purpose.

10. With the aforesaid directions, the present writ petition, along with the pending applications, stands disposed of.

MINI PUSHKARNA, J

AUGUST 5, 2025/KR