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

+ W.P.(C) 12874/2025

BANKEY BIHARI GOYAL

.....Petitioner

Through: Mr. Shailesh Tiwasri, Adv.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Ms. Deepika Kumar, Adv. for R-1 &
2

Mr. Manish Kaushik and Mr.
Yashpriya Sahran, Advs. for R-4
(Through VC)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
15.10.2025

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1. The present writ petition has been filed seeking directions to the Municipal Corporation of Delhi ("MCD") to take action against the unauthorized commercial use resulting in structural violations at *Plot No. 4545, Gali No. 52, Reghar Pura, Karol Bagh, Arya Samaj Road, New Delhi-110005*, being carried out by respondent no.4.

2. A Status Report dated 19th September, 2025 has been filed on behalf of the MCD, relevant portions of which, are reproduced as under:

"xxx xxx xxx



that the Property bearing No. 4545, Gali No. 52, Regarpura, Karol Bagh, Arya Samaj Road, Delhi-110005 has been inspected by the concerned JE(B)/KBZ on 25.08.2025 and on subsequent



dates. During inspection, it has been noticed that the property consists of Basement, Ground Floor, First Floor, Second Floor and Third Floor. The property is old and occupied. At the time of inspection, neither any construction activity was noticed nor any building material was found stacked at site.

4. That at the time of inspection it was noticed that the Basement, Ground Floor, First Floor and Second Floor of the property was being used for commercial purposes by running a jewellery shop. The Third Floor of the property is residentially occupied. The photographs of the property taken during inspection on 25.08.2025 are annexed herewith as **Annexure-A**.

5. That the Property bearing No. 4545, Gali No. 52, Regarpura, Karol Bagh, Arya Samaj Road, Delhi abuts Arya Samaj Road which is a commercial notified street. Therefore, commercial activities are permissible in the property subject to applicable Charges/Rules/Provisions of MPD-2021.

6. That as per record, the Owner/Occupier of the property had already deposited the applicable charges i.e. Conversion Charges, Parking Charges for using Basement, Ground Floor and First Floor for commercial activities. The additional FAR for Basement has also been deposited. However, the conversion charges for Second Floor with applicable penalty and deficient amount towards parking charges for Basement, Ground Floor and First Floor have been deposited by Owner/Occupier on 27.08.2025 and 03.09.2025 respectively.



7. That a Structural Stability Certificate dated 09.09.2025 in respect of Property bearing No. 4542-4545, Gali No. 52, Regarpura, Karol Bagh, Arya Samaj Road, Delhi has been submitted by Sh. Sandeep Garg vide Diary No. 8999 dated 10.09.2025.

8. That for carrying out commercial activities in the Basement in the subject property, the NOC from Delhi Fire Service Department is required. In this regard, a letter vide Diary No. 9271 dated 17.09.2025 annexing the request dated 17.09.2025 to the Chief Fire Officer, Delhi Fire Service for Fire Safety NOC for commercial building/mercantile of M/s Panna Lal Om Prakash Jewellers at Property bearing No. 4545, Gali No. 52, Regarpura, Karol Bagh, Arya Samaj Road, Delhi has been received from Sh. Sandeep Garg. In case, the Owner/Occupier fails to submit the NOC from Fire Department in reasonable time, an appropriate action against the commercial use of Basement shall be taken by the department as per applicable rules/law.

3. Perusal of the aforesaid Status Report shows that since the premises in question are situated on a commercial notified street, commercial activities are permissible in the premises in question. Further, as per the MCD, the property in question is old and occupied and no ongoing construction was found therein.

4. Considering the aforesaid, no directions are required to be passed by this Court in the present case.



5. With the aforesaid directions, the present writ petition is accordingly disposed of.

MINI PUSHKARNA, J

OCTOBER 15, 2025/KR