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

+ LPA 600/2025, CM APPL. 60510/2025, CM APPL. 60511/2025 & CM APPL. 60780/2025

NEW DELHI MUNICIPAL COUNCIL & ORS.Appellants

Through: Mr. Sriharsha Peechara, Standing Counsel, Mr. Ashish Tiwari, ASC, Mr. Akshant Kulshreshtha, Mr. Soumit Ganguly, Mr. Sahib Patel and Mr. Akash Sharma, Advocates.

versus

SMT ARVINDER KAUR BEDI & ANR.Respondents

Through: Ms. Shobhana Takiar, Mr. Shivam Takiar, Mr. Prateek Dhir and Mr. Kuljeet Singh, Advocates.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **02.12.2025**

CM APPL. 60512/2025 (Delay)

1. This is an application under Section 5 of the Limitation Act, 1963 seeking condonation of delay of 115 days in filing the present appeal.
2. Cause shown is sufficient. The delay of 115 days in filing the present appeal is condoned.
3. Application is disposed of.

LPA 600/2025

4. Present Letters Patent Appeal has been filed assailing the order dated 28.03.2025 passed in the writ petition bearing W.P.(C) 4202/2021 filed by the appellant, whereby the learned Single Judge has directed as follows:

“11. Accordingly, it is directed that, upon repair work being carried out by the petitioners, in terms of what has been pointed out by the NDMC in the



Joint Inspection Report, the same shall be inspected by NDMC. After carrying out the requisite repair work, the petitioners shall intimate the same to the Director, Estate Department, NDMC. Upon receipt of intimation from the petitioners, with regard to having carried out the repairs in their shops, the respondent-NDMC shall, within a period of 10 days of receipt of the intimation, carryout the inspection of the shops in question.

12. Upon the satisfaction by the NDMC, with respect to the repair work having been carried out by the petitioners, the respondent-NDMC shall proceed to process the application of the petitioners for renewal of the licences, subject to the petitioners fulfilling all the requisite formalities as pointed out by the respondent-NDMC. Thereafter, the respondent-NDMC shall renew the licenses of the petitioners, as per its policy, for the shops in question.”

5. The only grievance that the learned counsel for the appellant urges against the impugned order dated 28.03.2025 is that while directing the appellant to consider the application for renewal of license to the respondent, the learned Single Judge has directed that such licence shall be renewed predicated only on the lacunae observed in the joint inspection report, dehors the previous conduct of the respondent. In that, the previous order sheets in various writ petitions, contempt petitions, letters patent appeals, preferred by the parties in the earlier rounds of litigation, clearly point out that the respondent has not been complying with the requirements of the policies of the appellant.

6. Learned counsel for the appellant stoutly contended that mere direction to consider renewal of licence based only on the joint inspection report will not be sufficient consideration keeping in view the repeated unauthorized constructions and other violations committed by the respondent.

7. Ms. Shobhana Takiar Learned counsel for the respondent vehemently refutes the aforesaid submission of the appellant while referring and reading through orders dated 18.07.2017, 24.04.2018, 14.01.2020, 24.09.2020, 04.03.2020 and 18.02.2020. According to her, the learned Single Judge has fairly considered the joint inspection report and has only directed the



appellant to consider the renewal of license with respect to the subject shop in question, which is a simple direction.

8. Relying on the observations made by the court in the orders passed in the previous litigation she states that the requirement to consider the previous conduct as alleged by the appellant would not arise since the joint inspection report itself demonstrates that barring the minor deviations none of the previous alleged infractions exist as on the date of joint inspection, thus the prayer of the appellant may not be granted.

9. Having heard the learned counsel for the parties and perusing the impugned order, we are not inclined to interfere with the direction contained therein except to modify the same only to the extent that the appellant while considering the application for renewal of licence, apart from taking note of paragraphs 11 and 12 of impugned order dated 28.03.2025, may also take into account other relevant aspects with reference to the extant relevant policies as applicable from time to time.

10. In view of the aforesaid modifications, nothing further survives for adjudication and the present appeal is disposed of in the above terms. No order as to cost.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

DECEMBER 2, 2025

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