



\$~16

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 1994/2024**
HARPREET KAUR SANDHUPetitioner

Through: Mr. Archit Arora, Ms. Meenal Solanki
and Mr. Abdus Ahmad Ansari, Adv.

versus

**MUNICIPAL CORPORATION OF DELHI THR DEPUTY
COMMISSIONER & ORS.**Respondent

Through: Mr. G.S. Oberoi, SC for MCD with
Mr. Ankur Sharma, Ms. Shaifali Jain
and Mr. J.S. Oberoi, Adv. along with
Mr. Vipin Goswami, AE.
Mr. Varun Vats, SPC for R-2.
Mr. Sachin Bandooni, Adv. for Ms.
Anju Chitkara.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
13.05.2025

%

1. Pursuant to the previous order, status report has been handed up by the counsel for the MCD, which states that a hearing was afforded to *Smt. Harpreet Kaur Sandhu/petitioner*, as well as, *Smt. Anju Chitkara*, on 07th April 2025.
2. While *Smt. Harpreet Kaur Sandhu* submitted a copy of Agreement to Sell, in respect of *Flat No.12, First Floor, Property No. II (GF), Gali No.2, Hakikat Nagar, Kingsway Camp GTB Nagar, Delhi*, which was registered on 22nd November 2019, *Smt. Anju Chitkara* submitted copies of property tax



receipts, for the year 2004-2005, in respect of the first floor and the second floor.

3. Subsequently, the documents relating to the first floor, second floor and part-third floor were also submitted, which were all prior to 2007.

4. The MCD, therefore, came to the conclusion after going through the documents that the second floor and the part third-floor had been in existence since 1988 and 1998, respectively. Though, both floors are unauthorizedly constructed but were found to be entitled to protection against punitive action till 31st December 2026 under the *National Capital Territory of Delhi Laws (Special Provisions) Act, 2011*, since they have been in existence, prior to 08th February 2007.

5. Counsel for the petitioner refutes this finding by the MCD and states that it is has been arrived at, basis, incorrect and fabricated documents.

6. The issue may, therefore, be considered by the STF in light of the documents which have been presented.

7. A hearing shall be granted by the STF to the petitioner, as well as, to the occupiers, *Smt. Harpreet Kaur Sandhu* and *Smt. Anju Chitkara*, in this regard.

8. The assessment and the meeting shall take place within the next 6 weeks.

9. The petitioner will be at liberty to take action in accordance with law, pursuant to the decision taken by the STF.

10. The petition is, therefore, disposed of.

11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 13, 2025/MK/kp