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

+ **W.P.(C) 784/2026 & CM APPL. 3894/2026**

MRS NEERU SEHGAL AND ORS.

.....Petitioners

Through: Mr. Pankaj Yadav and Ms. Nikita Singh, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Anubhav Gupta, ASC(MCD) Advocate, Mr. Kartik Sharma, Advocate. Ms. Vaishali Gupta, Advocate. Ms. Harshita Nathrani, Advocate for Mr. Sameer Vashisht, Standing Counsel (Civil) GNCTD.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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20.01.2026

1. The present writ petition has been filed by the petitioners, seeking quashing of the order passed by the respondent/MCD on 23rd December, 2025, refusing to sanction the petitioner's building plan on the ground that the sub division of plot is not permissible as per the Master Plan provisions.
2. Counsel for the petitioners submits that the plot was sub-divided in an order passed by this Court on 15th May, 2009 in RFA(OS) 57/2000, RFA(OS) 58/2000 and RFA(OS) 59/2000, in which respondent/MCD was a party.
3. Counsel appearing on behalf of the respondent/MCD on advance



notice submits that the present writ petition is not maintainable as an appellate remedy is available to the petitioner under Section 347-B of the Delhi Municipal Corporation Act, 1957.

4. Counsel for the petitioner relies upon the judgment of the Supreme Court in *Whirlpool Corporation v. Registrar of Trade Marks, Mumbai*, (1998) 8 SCC 1, to submit that the order passed by the MCD is wholly without jurisdiction.

5. I am unable to agree with the aforesaid submission.

6. Clearly, it is within the jurisdiction of the respondent/MCD to grant, allow or disallow sanction of a plan in respect of a building that lies within its jurisdiction. Therefore, at best, the case of the petitioner is that the order disallowing sanction plan passed by MCD is erroneous. Clearly, this would be covered within the scope of the statutory appeal provided under Section 347-B of the Delhi Municipal Corporation Act, 1957.

7. Accordingly, the present writ petition is dismissed while granting liberty to the petitioner to invoke the statutory remedy of appeal.

AMIT BANSAL, J

JANUARY 20, 2026

Vivek/-