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

+ W.P.(C) 3818/2022 with CM APPL. 11312/2022

MIRZA RIYAZ BEG

.....Petitioner

Through: Ms. Megha Saxena and Ms. Shreya Bhatnagar, Advocates.

versus

NORTH DELHI MUNICIPAL
CORPORATION & ORS.

.....Respondents

Through: Mr. Anand Prakash, standing counsel for MCD with Ms. Varsha Arya and Mr. Geet Batra, Advocates for R-1/MCD.

Mr. Hargun Singh Kalra, Advocate for DDA (*through VC*).

Mr. Prasun Kumar and Ms. Priyanka Lalawat, Advocates for R-4.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **22.04.2026**

1. The issue involved in the present writ petition pertains to unauthorised construction by the respondent no.4 in the stack of DDA SFS flats, being *flats no.249 to 352 at Mukherjee Nagar, Delhi* (hereinafter 'subject flats').
2. Counsel appearing on behalf of the respondent/DDA submits that since the subject flats were constructed in the year 1989, no layout plan or design of the said flats is available with DDA.
3. In the status report filed on behalf of the respondent/MCD on 14th November, 2024, it is stated that the subject flats were constructed in the



year 1989 and MCD does not have any layout plan showing a sketch of the unit design. It is further stated that the flats are not constructed in a similar manner and hence, in the absence of any standard building plan, any deviation from the standard building plan cannot be ascertained. In this regard, paragraphs 4 and 5 of the status report are set out below:

4. That in reference to letter dt. 22.07.2024 written by answering respondent to DDA for providing standard building plan/sanction building plan in respect of flat no. 351, DDA SFS Flats Mukherjee Nagar, a copy of lay out plan showing sketch of each unit provided by the DDA was received on 13.08.2024. As per letter dt. 09.08.2024, it is informed by DDA that **"SFS flats of Mukherjee Nagar near Batra Cinema were constructed under an old scheme prepared in the year 1989 and only lay out plan showing sketch of unit design is available in the office record of this unit"**. Copy of letter along with copy of lay out plan is enclosed herewith as **"Annexure A Colly."**
5. That as per lay out plan, the dimensions of flats at ground floor only have been shown, no dimension of flats are available above ground floor i.e. first floor, second floor & third floor. The flats are not constructed in similar manner, hence in the absence of any standard building plan with measurements, any deviation from standard building plan cannot be ascertain.

4. In the absence of a standard building plan, it is not possible to verify if there are any deviations in the subject property.
5. Accordingly, the present writ petition is closed.
6. Pending application stands disposed of.

AMIT BANSAL, J

APRIL 22, 2026

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