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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ LPA 409/2026 & CM APPL. 35972/2026
URMIL JEWELLERS AND ANRAppellants
Through: Appearance not given.

versus

SANDEEP KUMAR AND ANRRespondents
Through: Mr. Tushar Mahajan, Mr. Hardik
Rupal and Mr. Bhaavan Mahajan,
Advocates for R1.
Mr. Kapil Dutta, Standing Counsel
for MCD.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

% **29.05.2026**

1. Heard the learned Counsel for the Parties.
2. While instituting the proceedings of the instant Letters Patent Appeal, the Appellants seek to question the order dated 05.05.2026 ("**Impugned Order**") passed by the learned Single Judge in W.P.(C) 6070/2026 ("**Writ Petition**"), whereby the Municipal Corporation of Delhi ("**MCD**") has been directed to decide the complaint / representation dated 08.09.2025 and 15.09.2025 made by Respondent No. 1 within a period of four weeks.
3. It has been stated by the learned Counsel for the Appellants that the Impugned Order has been passed without giving an opportunity to the Appellants, who were arrayed as respondent nos. 3 and 4 in the Writ Petition.



4. Having heard the learned Counsel for the Parties, we are of the opinion that since the Impugned Order passed by the learned Single Judge only directs the concerned Authority of the MCD to decide the complaint / representation made by Respondent No. 1 and further, that the Impugned Order has protected all the rights, contentions and legal remedies of the owner / occupier / private respondent nos. 3 and 4, no prejudice is caused to the Appellants by the Impugned Order.

5. The learned Counsel for the Appellants, however, states that the Appellants may also be provided an opportunity to be heard and state their case once any proceedings on the complaint / representation dated 08.09.2025 and 15.09.2025 are initiated by the MCD.

6. Having regard to the overall facts and circumstances of the case, we provide that in the proceedings initiated on the complaint / representation dated 08.09.2025 and 15.09.2025 filed by Respondent No. 1, the Appellants shall also be permitted to participate and state their case. An opportunity of hearing shall also be provided to the Appellants.

7. We further direct that in case any opportunity is asked for to be provided, by the Appellants, the appropriate Authority of the MCD may take more time than what has been granted by the learned Single Judge in the Impugned Order. We, thus, provide that opportunity, as prayed for by the Appellants, to participate in the proceedings of the complaint / representation dated 08.09.2025 and 15.09.2025 shall be provided by the MCD and further, that the said representation, in terms of the Impugned Order, shall be decided within a period of six weeks from today.

8. This Order shall be communicated by Mr. Kapil Dutta, learned Counsel for the MCD forthwith to the authorities concerned.



9. The Appeal stands disposed of and the Impugned Order passed by the learned Single Judge stands modified to the aforesaid extent.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

MAY 29, 2026/sms