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

+ W.P.(C) 17594/2025, CM APPL. 72682/2025 & CM APPL. 81682/2025

SHAMBHU NATH GUPTA

.....Petitioner

Through: Mr. Ajjay Aroraa, Senior Advocate
with Mr. Vansh Luthra and Mr. Arush
Kapoor, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Anmol Prakash, Standing
Counsel for MCD with Ms. Varsha
Arya, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

09.01.2026

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1. The present writ petition has been filed seeking a direction to the respondent/ Municipal Corporation of Delhi ('MCD') to consider the regularization application having been filed on behalf of the petitioner in respect of property bearing No. 61, *Banarsi Dass Estate, Timarpur, Delhi*.
2. Mr. Ajjay Arora, Senior Counsel appearing on behalf of the petitioner submits that the petitioner is the owner of 313.5 square yards out of total plot area of 627 square yards of the property in question.
3. Mr. Arora further submits that earlier a Building Plan was sanctioned on 8th July, 2022 by the respondent for construction in petitioner's portion of the plot under the SARAL Scheme. However, upon complaint by the owner/occupier of the rear portion of the plot in question, the said Building



Plan was revoked by the respondent/MCD, *vide* order dated 28th March, 2025.

4. Mr. Arora submits that in the interregnum between the approval of Sanctioned Building Plan under the SARAL scheme on 8th July, 2022 till its revocation *vide* order dated 28th March, 2025, the petitioner had already carried out construction of stilt, ground floor and first floor, in the form of beams and columns. He submits that further construction could not be carried out by the petitioner on account of revocation of the Sanctioned Building Plan, and also on account of the order dated 11th September, 2025 passed by this Court in W.P.(C) 7343/2025, titled as “***Vaishali Tyagi v. Municipal Corporation of Delhi & Anr.***”, wherein, this Court had directed that *status quo* be maintained as regards construction in the property in question.

5. He submits that the petitioner herein had filed an application for regularization of the said construction, which was rejected by the MCD, against which an appeal was filed before the Appellate Tribunal MCD (“ATMCD”).

6. He submits that *vide* a consent order dated 5th August, 2025, the said appeal, i.e., Appeal No. 326/2025 was disposed of by the ATMCD, by recording that the petitioner herein shall file a fresh application for regularization before the MCD, which shall be duly considered.

7. Mr. Arora further submits that the petitioner has already applied for regularization afresh and the said application is pending consideration before the MCD.

8. Notice in the writ petition was issued on 19th November, 2025.

9. At this stage, Mr. Arora seeks a limited relief that the regularization



application filed by the petitioner be considered by the respondent/MCD in an expeditious manner. He has placed reliance on the judgment of the Supreme Court dated 17th October, 2019 in Civil Appeal 1161/2009 titled ***Sharda Nath v. Delhi Administration and Ors.***

10. Counsel appearing on behalf of the respondent/MCD on instructions from the concerned Officer of the MCD, who is present in Court, submits that they have no objection to decide the regularisation application in an expeditious manner.

11. Accordingly, the present petition is disposed of with a direction to the respondent/MCD to decide the regularization application filed on behalf of the petitioner within four (4) weeks from today, in accordance with law, and taking into account the judgments passed in this regard, including ***Sharda Nath*** (supra).

12. All pending applications also stand disposed of.

AMIT BANSAL, J

JANUARY 9, 2026

at/ Rzu