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

+ W.P.(C) 8004/2018 with CM APPL. 49732/2018

SUMIT KUMAR JAYANT

.....Petitioner

Through:

versus

EAST DELHI MUNICIPAL CORPORATION OF DELHI AND
ORS.

.....Respondents

Through: Mr. Kapil Dutta, standing counsel for
MCD.

Mr. Sumit K. Batra, Ms. Priyanka
Jindal, Advocates for GNCTD.

Mr. Rajesh Chaudhary, Joint
Secretary, Urban Development Deptt.

Ms. Nishtha Chawla, Advocate for
R-3 (through VC).

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

12.03.2026

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1. The present writ petition has been filed seeking a direction to the respondents/MCD to restore the Health Trade License issued to the petitioner for a banquet hall situated at '1450-A, East Jyoti Nagar, Loni Road, Delhi-110093'.
2. None appears on behalf of the petitioner.
3. In terms of the order passed on 31st October, 2025, Government of NCT of Delhi ('GNCTD'), through Department of Urban Development, was directed to file an affidavit indicating whether the street on which the property of the petitioner is situated falls under mixed use or commercial



use.

4. Counsel appearing on behalf of GNCTD on instructions submits that the aforesaid property falls under a mixed use street.

5. A Local Commissioner was appointed by this Court *vide* order dated 21st February, 2023.

6. In the report submitted by the Local Commissioner also, it has been stated that the street in question is categorised as mixed use street. Paragraph 13 of the report of the Local Commissioner is extracted below:

13. That from the above position duly apprised by the officials of the concerned departments i.e. MCD and DDA, the following position emerges:-

As per MCD:-

The street in question is categorized as Mixed Use Street. Further, as per MCD, they only follow the provisions of MDP-2021 and not the Zonal Development Plan. As per Delhi Gazette Notification dt.15.6.2006 also, the stretch in question has been categorized as Mixed Use Street.

As per Planning Assistant from DDA:-

As per the information provided by the official from DDA, who was present at the time of inspection of the premises on 8.6.2023, that **as per the Zonal Development Plan, the stretch at Loni Rod from Durga Puri Chowk to the Crossing with Wazirabad Road has been declared as Commercial Street.**

As per note dt.14.6.2023 of the DDA:

Vide this note, which is duly approved by the Commissioner (Planning), DDA, **the Land use of the broader area in which the said property falls**



is “Residential” and that categorization of said property as Mixed Use in is purview of MCD as the area is under the jurisdiction of MCD.

In the light of aforementioned facts, the report prepared by the undersigned is submitted for kind perusal by this Hon’ble Court.

7. In terms of the MPD - 2021, banquet hall activity is not permissible in a mixed use street.
8. The Local Commissioner has also noted that the tenant of the petitioner who was running the banquet hall has vacated the premises since a license for running banquet hall was not granted by the respondents/MCD. Currently, the owner has started business of medicines from the said premises.
9. In view of the facts noted above, a health trade license cannot be granted to the petitioner for running of a banquet hall.
10. Accordingly, the petition along with all pending application(s) stands disposed of.

AMIT BANSAL, J

MARCH 12, 2026

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