

1 CS DJ 512/21 ADITYA GUPTA Vs. SH NARESH KUMAR
04.04.2026

Present: Sh.Divesh Garg Ld. Counsel for plaintiff.

None for D1.

Sh. Prateek Rana, Ld. Proxy counsel for D2/MCD

1. Matter is listed for PE.
2. No witness present.
3. It is informed by the Ld. Counsel for plaintiff that due to some family emergency both the witnesses are not present today. The nature of the emergency is not known to the Ld. Counsel. As a matter of last and final opportunity, one more opportunity is granted to the plaintiff to lead evidence in the present case, subject to payment of cost of Rs 10000/- to be paid to the Rohini Bar Association. In case the plaintiffs are able to satisfy as to the nature of the emergency and their visit to UP (it should be supported by the relevant documents), the cost stands waived off.
4. A fresh status report filed on behalf of D2/MCD mentioning the excess area/coverage beyond sanctioned building plan at ground floor is 11.86 sq. mtrs and 102.92 sq. mtrs at second floor. It is further submitted that the said excess area/coverage is within permissible limit subject to regularization/ completion of compoundable deviation as per the MPD 2021. I am not satisfied with the report as the primary question is how the unauthorized construction came into existence and it is also the duty of concerned engineer to show whether any application for regularization/compounding of the deviation has been moved in this regard or not. It is also to be informed by the concerned JE if no such application has not been moved for regularization/compounding then what action is proposed in this regard. The JE is directed to be present on NDOH.
5. Put up for PE on **27.07.2026**

(Akbar Siddique)
DJ-04, North, Rohini Courts,
Delhi-04.04.2026