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

+ W.P.(C) 8719/2024, CM APPL. 35592/2024, CM APPL. 45370/2024,
CM APPL. 66231/2024 & CM APPL. 66232/2024

SUBHASH CHANDER

.....Petitioner

Through: Mr. Prashant Diwan and Ms. Sonali
Harish, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Ms. Jasleen Kaur, Advocate.
Mr. Pritish Sabharwal, Advocate.
Mr. Gulvinder Khatri, applicant-in-
person in CM. APPL. 45370/2024.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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08.07.2026

CM APPL. 66232/2024 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 8719/2024

2. Pursuant to the order passed by this Court on 17th November, 2025, a fresh status report has been filed on behalf of the respondent/MCD.

3. Along with the status report, MCD has filed a detailed speaking order dated 13th September, 2023, wherein it was held that petitioner has carried out new construction by demolishing the old structure. Therefore, the petitioner is not entitled to protection of Delhi Special Laws as claimed by the petitioner.

4. This Court in exercise of its jurisdiction under Article 226 of the



Constitution of India cannot decide factual disputes as to whether the construction carried out by the petitioner was prior to 2007 or whether petitioner has carried out fresh construction after the said date.

5. Accordingly, the present writ petition is disposed of while granting liberty to the petitioner to approach the appellate authority i.e. the Appellate Tribunal, MCD ('ATMCD') and raise all the aforesaid contentions before the Tribunal.

6. Counsel appearing on behalf of the petitioner submits that the speaking order was not supplied to the petitioner and has only come to the knowledge of the petitioner after the aforesaid status report was filed on January, 2026.

7. This factor shall be considered by the ATMCD while considering the aspect of delay in filing the appeal by the petitioner.

8. Pending applications stand closed.

AMIT BANSAL, J

JULY 8, 2026

Vivek/-