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

+ **W.P.(C) 12879/2025 & CM APPL. 52586/2025**

MINU SUBBA

.....Petitioner

Through: Mr. Hemant Kumar Yadav and Mr.
Anish Chandra Mishra, Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Chetanya Puri, SPC with Ms.
Nisha Puri, Adv. for R-2 & 3
(Through VC)

Mr. Kuriakose Varghese, Ms. Isha
Ghai and Mr. Akshat Gogna, Advs.
for R- 5 & 6

Mr. Ajjay Aroraa, Sr. Adv. with Mr.
Vansh Luthra, Adv. for R-4

Ms. Shilpa Ohri, ASC for MCD

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

06.11.2025

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1. Learned counsel appearing for the respondent-Municipal Corporation of Delhi ("MCD") submits that the land in question has been inspected. She submits that currently no construction is going on.
2. She further points out that the photographs that have been attached along with present writ petition do not pertain to the area in question and pertain to the adjoining areas, and there are two Civil Suits that are pending with respect to the land in question.
3. However, the aforesaid submissions, are disputed by learned counsel



appearing for the petitioner.

4. At this stage, learned Senior Counsel appearing for respondent no. 4 has handed over to this Court a copy of bunch of orders passed in CS(OS) 75/2022, titled as “*Jyoti Subba & Anr. Versus Mahesh Aggarwal*”, which is pending in this Court.

5. By referring to the orders in the suit, learned Senior Counsel appearing for respondent no. 4 submits that there are *inter se* disputes between the parties, with respect to the same parcel of land which is also subject matter of the present writ petition. He further submits that in the aforesaid suit *vide* order dated 22nd November, 2022, direction have already been issued for maintaining the *status quo* with regard to title, possession and construction.

6. The relevant portions of order dated 22nd November, 2022 in CS(OS) 725/2022, reads as under:

“xxx xxx xxx

17. The present suit has been filed seeking relief of declaration, cancellation, possession, permanent and mandatory injunction. The case of the plaintiffs is that after the demise of the husband of the plaintiff no.1 in May, 2019, the plaintiffs intended to sell the property admeasuring 3722.329 square yards comprised in Khasra No. 624/1 , 624/2, 626/1/2/ETC Village Chattarpur, Temple Road, New Delhi and popularly known as M.K. Subba Farms @ Jai Mata Di Farm (suit property). In this regard, the defendant was introduced to the plaintiffs who gave an offer to purchase the suit property for a total consideration of Rs.19,00,00,000/-. A sum of Rs.5,66,20,000/- was paid by the defendant to the plaintiffs , however, the defendant has failed to make the balance payment. The plaintiffs were made to sign various blank papers purportedly for applying for various permissions to convert the suit property, which is an agricultural land for a non-agricultural use.

18. Plaintiffs do not know for what purpose these blank papers signed by them have been used. The plaintiffs have written various letters/notices to the defendant asking him to return the blank papers signed by them, however, the defendant has failed to respond to any of those.



Subsequently, it has come to the knowledge of the plaintiffs that defendant has illegally trespassed in the suit property and has started raising constructions thereon. A police complaint was also filed on behalf of the plaintiff on 27th July, 2022 with the Police Station, Maidan Garhi alleging criminal breach of trust, trespass and forgery.

19. Issue notice.

20. Notice be issued to the defendant through all modes.

21. Reply be filed within four weeks.

22. Rejoinder thereto, if any, be filed within two weeks thereafter.

23. **A prima facie case has been made out on behalf of the plaintiffs. Consequently, till the next date of hearing, status quo with regard to title, possession and construction shall be maintained in respect of the suit property.**

xxx xxx xxx”

(Emphasis Supplied)

7. Considering the aforesaid, this Court notes that dispute as regards land in question, which is subject matter of the present writ petition, is already pending adjudication.

8. This Court further notes the submission made by learned Senior Counsel appearing for respondent no. 4 that respondent no. 4 has already sold his portion of the land to other 19 persons.

9. Learned counsel appearing for respondent no. 4 further submits that no part of the land, which is subject matter of the present writ petition, is owned or is in possession of respondent no. 4.

10. This Court is also informed that certain contempt petitions are also pending with respect to the same parcel of land.

11. Since time is sought by learned counsel appearing for the MCD, Status Report be filed by the MCD on the aspect of unauthorized construction only for the land in question.

12. This Court has already clarified that this Court shall not go into the



issue of title or ownership of the property in question.

13. Let the needful be done by the MCD, within a period of four weeks.

14. Re-notify on 07th January, 2026.

MINI PUSHKARNA, J

NOVEMBER 6, 2025/KR