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

+ **W.P.(C) 17448/2025 & CM APPL. 72040/2025**

RAMESH CHAND

.....Petitioner

Through: Mr. Manu Sishodia and Ms. Hina
Rajput, Advocates
Mob: 9810019309
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versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Arjun Mahajan, SC-MCD with
Mr. Apoorv Upmanyu, Mr. Harsh
Vashisht, Advocates (M:9810047321)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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02.12.2025

1. The present petition pertains to the property bearing No. 10917-A, Manakpura, Karol Bagh, New Delhi.
2. The present writ petition has been filed seeking to challenge the order dated 27th November, 2024, passed by the learned Principal District & Sessions Judge, (HQ), Central District, Tis Hazari Courts, Delhi in *Municipal Corporation of Delhi ("MCD") Appeal No. 11/2024*, titled as "*Ramesh Chand Versus Municipal Corporation of Delhi*", as well as the order dated 09th October, 2024, passed by the Appellate Tribunal MCD ("ATMCD") in *Appeal No. 875/2024*, titled as "*Ramesh Chand Versus MCD*".
3. When the present matter was listed for hearing on 17th November, 2025, this Court had noted the statement on behalf of learned counsel



appearing for the petitioner that the regularization application of the petitioner was still pending and that the petitioner shall be satisfied, in case, the application of the petitioner for regularization dated 08th October, 2024 is considered by the MCD.

4. Today, learned counsel appearing for the respondent-MCD submits that the application of the petitioner for regularization already stands rejected on 18th October, 2024. Since there is a fourth floor existing in the property in question, the said property cannot be regularized.

5. In response, learned counsel appearing for the petitioner submits that the copy of the rejection letter dated 18th October, 2024 was never communicated to the petitioner. Moreover, the petitioner has already filed an application for re-opening of the application for regularization and re-hearing on 24th November, 2025.

6. Learned counsel appearing for the petitioner further submits that the petitioner undertakes to abide by any direction as issued by the MCD, including, demolition of the fourth floor of the property, in question.

7. Accordingly, the MCD is directed to consider the application for regularization of the petitioner on its own merits.

8. The MCD shall give requisite directions to the petitioner, including, for demolition/removal of fourth floor of the property in question.

9. The MCD shall also direct the petitioner to remove other non-compoundable deviations/excess coverage.

10. For this purpose, the MCD shall give time bound directions to the petitioner.

11. After the requisite action has been taken by the petitioner, the MCD shall inspect the property and satisfy itself as to whether the non-



compoundable deviations/excess coverage, have been removed by the petitioner.

12. In case, the petitioner does not remove the non-compoundable deviations/excess coverage, requisite action shall be taken by the MCD.

13. The petitioner shall comply with the directions of the MCD in a time bound manner, preferably, within a period of eight weeks, after the directions of the MCD.

14. Subject to the aforesaid, no coercive action shall be taken by the MCD, during the pendency of the regularization application, pursuant to the application for re-hearing by the petitioner.

15. During the course of considering the application of the petitioner for regularization, hearing shall also be granted to the petitioner, in case needed.

16. It is clarified that only limited protection is being granted to the petitioner for the purposes of removing the non-compoundable deviations/excess coverage from the property in question.

17. The case of the petitioner shall be considered by the MCD on its own merits.

18. The MCD is at liberty to take action against the property of the petitioner, in case, the MCD is not satisfied with the action taken by the petitioner pursuant to the directions of the MCD.

19. The impugned orders are accordingly kept in abeyance during the pendency of the regularization application of the petitioner. However, the MCD shall be free to act as per the impugned orders in case requisite action for removal of non compoundable deviations, is not taken by the petitioner.

20. For the purpose of giving directions to the petitioner with regard to regularization application, let hearing be granted to the petitioner before the



concerned Officer on 08th December, 2025 at 11:00 AM.

21. The details of the Officer before whom the petitioner or his authorized representative is required to appear, shall be intimated to the learned counsel appearing for the petitioner, on the E-mail, which is reflected in today's order.

22. With the aforesaid directions, the present petition, along with the pending application, is accordingly disposed of.

MINI PUSHKARNA, J

DECEMBER 2, 2025/ak