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

+ W.P.(C) 19077/2025 & CM APPL. 79393/2025, CM APPL. 79394/2025

PRIYANKA PALGOTRA

.....Petitioner

Through: Ms. Richa Kapoor, Mr. Kunal Anand,
Mr. Aryan Prasad and Mr. Shisham
Pradhan, Advs.
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versus

MUNICIPAL CORPORATION OF DELHI AND ORS

.....Respondents

Through: Mr. Avi Singh, Sr. Adv., with Ms.
Nalinaksha Singh, Adv. for R-5& 6
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nalinakshasingh2906@gmail.com
Ms. Shilpa Dewan, Sr. Panel Counsel,
UOI for R-2
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Mr. Siddhant Nath, SC for MCD with
Mr. Bhavishya Makhija and Mr.
Amaan Khan, Advs. for MCD
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CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

16.12.2025

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1. The present petition has been filed challenging the order dated 19th June, 2025, passed by respondent no. 1- Municipal Corporation of Delhi (“MCD”), whereby, the unauthorized construction at ground floor, first floor, second floor and third floor of the property bearing No. A-460, Krishna Gali, Kotla Mubarakpur, New Delhi, has been regularized.

2. At the outset, attention of this Court has been drawn to Para 6.22 of the present writ petition, wherein, it has been stated that counsel for respondent no. 1 made false and misleading statements before this Court.

3. Learned counsel appearing for respondent no. 1 draws the attention of this Court to the order dated 20th May, 2025, passed in *CONT. CAS(C) 663/2024*, titled as “*Priyanka Palgotra Versus Mr. Gyanesh Bharti and Ors.*”, wherein, it is noted as follows:

“1. Mr. Siddhant Nath, Standing Counsel for MCD hands up the Status Report dated 19th May 2025.

2. It is noted that during the proceedings initiated by the private owner before the Appellate Tribunal Municipal Corporation of Delhi (‘ATMCD’), counsel for the private owner/appellant submitted that they will take prompt steps for removing the remaining non-compoundable deviations, as pointed out by the MCD and the next date is now fixed for 20th August 2025.

3. The site has been inspected by the concerned staff. It has been observed that the owner/builder of the property himself is demolishing the non compoundable deviations. Further action will be taken only after the finalisation of the regularization application.

4. In any event, the directions have been given in the order dated 24th November 2023 to approach the STF, which as per the counsel for the MCD, has not been done yet. The option always remains to the petitioner to approach the STF.

5. The application, accordingly, stands disposed of. Petition was disposed off earlier.

6. Order be uploaded on the website of this Court.”

4. By referring to the aforesaid order, it is stated before this Court that a



copy of the Status Report dated 19th May, 2025, had been handed over by the counsel for the respondent no. 1 to the Court and the order was passed on the basis of the said Status Report. Thus, no statement, as such, had been made on behalf of the counsel for the respondent no.1.

5. Accordingly, the first sentence of Para 6.22 of the present petition, wherein, allegations have been made against the counsel for respondent no. 1, is expunged.

6. Likewise, in the list of dates of the present petition, the submission against the date 20th May, 2025, with regard to the counsel for MCD making statement, is expunged.

7. At this stage, learned counsel appearing for respondent nos. 1, 5 and 6 submits that an appeal would be maintainable before the Appellate Tribunal MCD (“ATMCD”).

8. However, this Court notes that appeals are entertained by the ATMCD, only when the same is filed by the parties against whom, orders have been passed.

9. *Per contra*, learned counsel appearing for the petitioner submits that there are other reliefs sought, as well, in the present petition.

10. Accordingly, issue notice. Notice is accepted by learned counsels appearing for the respondents.

11. Learned counsel appearing for respondent-MCD also submits that the present writ petition would not be maintainable also on account of the fact that the petitioner is not directly affected by the property in question, since the petitioner lives four to five houses away.

12. He further submits that there are private disputes between the petitioner and respondent nos. 5 and 6, on account of which, the present writ



petition has been filed.

13. Let reply/Status Report be filed, within a period of four weeks, from today.

14. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.

15. At this stage, learned counsel appearing for respondent no. 1-MCD submits that he shall file an affidavit in this regard, as to whether an appeal would be maintainable by the petitioner before the ATMCD or not.

16. Learned counsel appearing for the respondent nos. 5 and 6 also seeks liberty to file affidavit.

17. Accordingly, let affidavits be filed by the respondent nos. 1, 5 and 6.

18. Let the needful be done, within a period of four weeks, from today.

19. Re-notify on 20th April, 2026.

MINI PUSHKARNA, J

DECEMBER 16, 2025/SK