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

+ W.P.(C) 19431/2025 & CM APPL. 81037/2025

SANGITA SAHU

.....Petitioner

Through: Mr. Prabhjit Jauhar, Ms. Chahat
Raghav, Advocates

versus

MUNICIPAL CORPORATION OF DELHI & ORS.

....Respondents

Through: Mr. Kunal Rawat, Ms. Prity Kumari,
Ms. Ritu Gaur, Advocates for R-1
(M:9312012009)
Mr. Rishesh Mani Tripathi, Sr. Panel
Counsel for R-2 (M:9310350656)
Mr. Arvsh Kapoor, Adv. for R-3 and
4 (M:9910950400)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

22.12.2025

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1. The present writ petition has been filed seeking directions to the respondent-Municipal Corporation of Delhi ("MCD") to take action against the illegal and unauthorized construction being carried out at 2nd and 3rd Floors of *House No. W-129, Greater Kailash-I, Delhi-110048*.
2. Learned counsel for the petitioner submits that the application for regularization filed by the respondent-owners/occupiers of the 2nd and 3rd Floors of the aforesaid property, already stands rejected *vide* letter dated 18th December, 2025. He has handed over a copy of the said letter, which is taken on record.
3. He further relies upon the judgment of the Supreme Court in the case



of *Rajendra Kumar Barjatya and Another Versus UP Avas Evam Vikas Parishad and Other*, 2024 SCC OnLine SC 3767, and in particular upon paragraphs 20 and 21 of the said judgment, to submit that in case of unauthorized construction, regularization should be an exception.

4. Issue notice. Notice is accepted by learned counsels for the respondents.

5. Learned counsel for respondent no. 1-MCD submits that in view of the policy of the MCD for considering the applications for regularization of each floor separately, the separate applications seeking regularization of the 02nd and 03rd Floors of the property in question, filed by the respondent nos. 3 and 4 are still under consideration.

6. Let a Status Report/reply be filed by the respondents, within a period of four weeks. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.

7. In case, of any ongoing unauthorized construction, the same shall be stopped forthwith by the concerned officials of the MCD, along with assistance of the Station House Officer (“SHO”), Police Station-Greater Kailash.

8. Needless to state that applications of respondent nos. 3 and 4 for regularization shall be considered by the MCD, as per its policy and in accordance with law.

9. Re-notify on 24th April, 2026.

MINI PUSHKARNA, J

DECEMBER 22, 2025/au