



2025:DHC:5273



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

% **Date of Decision: 04th July, 2025**

+ W.P.(C) 9098/2025, CM APPL. 38719/2025, CM APPL. 38720/2025
& CM APPL. 38721/2025

PRINCE SOORMA & ORS.

.....Petitioners

Through: Mr. C.M. Grover and Ms. Payal
Budhiraja, Advs.
M: 9654624323
Email: manigrover001@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI
& ANR.

.....Respondents

Through: Mr. Harsh Singhal, Ms. Mugdha
Avnish Sharma, Mr. Utkarsh Singhal
and Mr. Raghav Sharma, Advs.

+ W.P.(C) 9099/2025, CM APPL. 38722/2025, CM APPL. 38723/2025
& CM APPL. 38724/2025

PRINCE SOORMA & ORS.

.....Petitioners

Through: Mr. C.M. Grover and Ms. Payal
Budhiraja, Advs.
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MUNICIPAL CORPORATION OF DELHI & ANR.Respondents



Through: Mr. Harsh Singhal, Ms. Mugdha Avnish Sharma, Mr. Utkarsh Singhal and Mr. Raghav Sharma, Advs.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J (ORAL):

1. The present writ petitions have been filed seeking directions to set aside the order dated 30th May, 2025, passed by the Appellate Tribunal Municipal Corporation of Delhi (“ATMCD”).
2. Learned counsel appearing for the petitioners submits that the petitioners had filed an application for regularization, pursuant to which, in the order dated 20th May, 2025 passed in *Appeal Nos. 1092/2024* and *1093/2024*, the ATMCD recorded the statement of the Municipal Corporation of Delhi (“MCD”), that till the next date of hearing of the regularization application, the MCD will not take any coercive action against the property in question.
3. Subsequently, when the matter was listed before ATMCD on 30th May, 2025, learned counsel appearing for the MCD handed over a copy of letter dated 29th May, 2025, wherein, the application for regularization filed by the petitioners was rejected.
4. Thus, the statement made on behalf of the MCD as recorded in order dated 20th May, 2025, was not continued.
5. In view of the fact that there is no stay in favour of the petitioners as regards any coercive action, the present writ petitions have been filed.
6. Issue notice. Notice is accepted by learned counsel appearing for the



respondents.

7. Learned counsel appearing for the respondents has handed over to this Court a copy of the internal communication of the MCD to submit that since the architect through which the petitioners had filed their application for regularization, stood debarred from the list of professionals, the said application for regularization filed on behalf of the petitioners, was rightly rejected *vide* order dated 29th May, 2025.

8. Upon pointed query by this Court, as to whether any notice was issued to the petitioners prior to the rejection of the regularization application, learned counsel appearing for the respondents-MCD submits that no such notice was issued, as there was no requirement for the same, in view of the fact that the application had been filed through an architect who was already debarred.

9. Responding to the same, learned counsel appearing for the petitioners submits that he may be granted another opportunity to file a fresh regularization application for the existing construction of the property in question through a duly qualified architect. He further submits that the petitioners are subsequent purchasers and the petitioners themselves have not carried out any unauthorized construction.

10. He further submits that the petitioners are willing to remove any unauthorized construction that may not be compoundable, and for that purpose, are willing to submit to the authority of the MCD.

11. Having heard learned counsel appearing for the parties, this Court is of the view that once an application for regularization had been filed by the petitioners and on the basis thereof, a submission had been made on behalf



of the MCD that no coercive action shall be taken during the pendency of the said regularization application, in case there was any discrepancy in the said application, a notice ought to have been issued to the petitioners.

12. Since no notice was issued to the petitioners, the application for regularization came to be rejected on 29th May, 2025, without giving any opportunity to the petitioners to rectify the discrepancy in the said application. This is clearly in violation of Principles of Natural Justice, as opportunity has to be given to a party before rejection of any application that may have been filed before an appropriate authority.

13. Accordingly, it is directed that the petitioners shall file a fresh application for regularization along with requisite documents, before the MCD, within a period of ten days from today.

14. Upon such application being filed by the petitioners, the respondent-MCD shall duly consider the same on its merits.

15. In the event of any discrepancy in the said application, and in case any further documents are required to be filed by the petitioners, the MCD shall duly intimate the petitioners in that regard, and give due opportunity for rectifying any discrepancy in the said application.

16. The petitioners shall also be granted opportunity of personal hearing at the time of consideration of their application for regularization.

17. It is noted that statement of the MCD that it shall take no coercive action against the petitioner in view of the regularization application, was duly recorded in the order dated 20th May, 2025, passed by the ATMCD.

18. Accordingly, it is directed that no coercive action shall be taken by the MCD against the petitioners during the pendency of the regularization



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application filed by the petitioners.

19. No further directions are required to be passed in the present petitions.

20. The present petitions, along with all the pending applications, are accordingly, disposed of.

MINI PUSHKARNA, J

JULY 4, 2025/KR