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

% **Date of decision: 04th September, 2025**

+ W.P.(C) 13671/2025, CM APPL. 56063/2025 & CM APPL.
56064/2025

POONAM NARANG

.....Petitioner

Through: Mr. Kartikeya Rastogi and Ms.
Tamanna Kavdia, Advs.

versus

MUNICIPAL CORPORATION OF DELHI & ANR.Respondents

Through: Mr. Ashutosh Gupta, ASC for MCD
(Through VC)
Mr. Tushar Sannu and Mr. Vishal Ji,
Advs. for DDA

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J (ORAL):

1. The present writ petition has been filed with a prayer seeking protection to the petitioner to approach the respondent-Municipal Corporation of Delhi ("MCD"), for submitting an application for regularization of permissible/compoundable construction, in accordance with the applicable Rules.
2. It is submitted that the petitioner is the owner of *Flat No. B-416, Pocket-B, Sarita Vihar, New Delhi*. In May, 2025, the petitioner started certain construction work on the third floor and terrace of the flat in question. It is submitted that the said construction work is permissible as per



Chapter III of the Policy & Procedure for permission and Regularization of Additions/Alterations in DDA Flats issued by Delhi Development Authority (“DDA”).

3. Issue notice. Notice is accepted by learned counsels appearing for the respondents.
4. Learned counsel appearing for respondent no. 2, i.e., DDA submits that the area in question is a de-notified area. Thus, he submits that it is for the MCD now to consider the case as regard any regularization.
5. Learned counsel appearing for respondent no. 1 submits that a Demolition Order with respect to the property in question, already stands issued. However, he submits that as and when the application of the petitioner for regularization is received, the same shall be considered, in accordance with law.
6. At this stage, learned counsel appearing for the petitioner has drawn the attention of this Court to the photographs attached as *Annexure P-5*, to submit that the petitioner has carried out only temporary construction, which is condonable.
7. Accordingly, considering the submissions made before this Court, liberty is granted to the petitioner to file an application for regularization of the construction carried out by the petitioner in the property in question, within a period of three weeks, from today.
8. Upon the petitioner filing the application for regularization, the same shall be considered by the MCD, in accordance with law.
9. It is further directed that at the time of considering the application of the petitioner for regularization, a hearing shall be granted to the petitioner or her authorized representative.



10. It is directed that the petitioner shall comply with all the directions as issued by the MCD in regard to the regularization application filed on behalf of the petitioner.
11. It is further directed that no coercive action shall be taken against the property of the petitioner during the pendency of the regularization application of the petitioner.
12. The MCD is expected to consider and dispose of the application for regularization of the petitioner expeditiously, preferably, within a period of three months, from today.
13. It is clarified that this Court has not expressed any opinion on the merits of the case, and that only limited protection has been provided to the petitioner.
14. All the rights and contentions of the parties are left open.
15. In case the petitioner is aggrieved by any order passed by the MCD, the petitioner is at liberty to seek her remedies, in accordance with law.
16. With the aforesaid directions, the present writ petition, along with the pending applications, stands disposed of.

MINI PUSHKARNA, J

SEPTEMBER 4, 2025/KR