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

% **Date of Decision: 10th November, 2025**

+ W.P.(C) 16971/2025 & CM APPL. 69782/2025

VIJAY PAL

.....Petitioner

Through: Ms. Anunaya Mehta, Mr. Vidhan Malik and Ms. Anandita Tayal, Adv.
along with petitioner in person.

versus

MUNICIPAL CORPORATION OF DELHI & ANR.Respondents

Through: Ms. Vidhi Jain, Adv.

Mob: 9654454567

Email: jainvidhi17@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (Oral):

1. The present writ petition has been filed challenging the communication/order dated 22nd August, 2025, issued by the Assistant Engineer (Bldg.), Najafgarh Zone, by way of which, respondent no. 2 has rejected the application for regularization filed by the petitioner in relation to the construction in the portion admeasuring 200 sq. yds. out of the property situated in *Khasra No. 481 & 484, Gali No. 12, Road No. 4, Village Mahipalpur, New Delhi-110037*.

2. Learned counsel appearing for the petitioner submits that the petitioner had applied for regularization with the respondent authority, pursuant to which, a letter dated 15th July, 2025 was issued by the Municipal Corporation of Delhi ("MCD"), wherein, certain documents were sought by the MCD from the petitioner.

3. It is submitted that, however, the said letter dated 15th July, 2025 was



never communicated to the petitioner and the same was physically handed over to the petitioner on 02nd August, 2025, when he visited the office of the respondent-MCD.

4. It is the case of the petitioner that soon after receipt of the letter dated 15th July, 2025, the petitioner sought to collect documents as required by the MCD *vide* the said letter. For this purpose, the petitioner had also approached the revenue authorities for providing certain documents as sought by the MCD.

5. It is submitted that without waiting for the petitioner to deposit the requisite documents, the action for demolition was carried out by the MCD on 29th August, 2025.

6. It was only upon the petitioner visiting the office of the MCD on 01st September, 2025, that the petitioner was handed over copy of the order dated 22nd August, 2025, by which, the petitioner's application for regularization had been rejected by the MCD for want of documents.

7. Learned counsel appearing for the petitioner submits that neither any hearing was granted to the petitioner, nor sufficient time was afforded to the petitioner for depositing the requisite documents. Thus, without any proper opportunity to the petitioner, the application of the petitioner for regularization was rejected by the respondent-MCD.

8. Further, since the said rejection order was not supplied to the petitioner, the petitioner could not avail the opportunity of challenging the said rejection order.

9. Thus, the present writ petition has been filed with a prayer seeking directions to the MCD to consider the documents as sought by the MCD by its letter dated 15th July, 2025, which have now been collected by the



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petitioner.

10. Responding to the submissions of the petitioner, learned counsel appearing for respondent-MCD submits that the application for regularization was rightly rejected in the absence of submission of the requisite documents by the petitioner.

11. Having heard learned counsels appearing for the parties, this Court notes that *vide* letter dated 15th July, 2025, an invalid notice was issued by the Office of the Executive Engineer, Building Department, Najafgarh Zone, which reads as under:

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	Municipal Corporation of Delhi Office of the Executive Engineer Building Department, Najafgarh Zone Room No. 119, 120 & 121, 1 st Floor Zonal Building, Near Dhansa Stand New Delhi- 43	ANNEXURE P-11  70
F.No. : EE(B)/NGZ/25/D-514/132		Dated : 15/07/2025
To Mr. Vijay Pal S/o Sh. Sukhbir Singh H.No. 1152, Mahipal Pur, New Delhi		
Sub: <u>Invalid Notice (I/N) against Regularization of existing construction at Khasra No. 481 & 484, Gali No. 12, Road No. 4, Village Mahipal Pur, 110037</u>		
Ref: <u>File No. 21/Regul/EE(B)/NGZ dt. 08.07.2025</u>		
With reference to your application/file for regularization of existing construction at Khasra No. 481 & 484, Gali No. 12, Road No. 4, Village Mahipal Pur, New Delhi-37 was received in this office vide No. Dy. No. 21/Regul/EE(B)/NGZ dated 08.07.2025. In this respect you are requested to comply with the following:-		
1. Complete ownership chain is required to be submitted. 2. Demarcation of the plot / property lies in the same Khasra Number as mentioned in the file from the SDM concerned. 3. Three sets of colour photographs of existing building from different angles showing overall view of the building are required to be submitted. 4. Undertaking regarding solar water heating system along with photograph of solar panel is required to be submitted. 5. Undertaking regarding Rain Water Harvesting to be submitted. 6. Lal Dora Certificate is required to be submitted. 7. All forms, all affidavit and indemnity bond regarding regularization as per UBBL, 2016 / MPD-2021 is required to be submitted. 8. Latest property tax receipt is required to be submitted. 9. Photograph of Architect and Structural Engineer duly pasted along with ID proofs is required to be submitted. 10. Non-compoundable deviation / excess coverage beyond permissible limit needs to be demolished first. 11. Compounding calculation sheet is required to be submitted. 12. Four sets of plans as per UBBL, 2016 duly signed by applicant and Architect, (registered with Council of Architecture) indicating his/her name, address, telephone number and valid registration number clearly and proposed construction in red colour is required to be submitted. 13. Calculation sheet of CESS and paid receipt of CESS is required to be uploaded.		



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14. Consideration of ROW (if any) is required to be clarified.
15. Please fix up date and time for joint site inspection along with your architect.
16. Any short coming noticed during further scrutiny at later stage(if any) shall be
 - a. conveyed accordingly.

You are, therefore, requested to do the aforesaid compliances/submit above required documents in this office within Fifteen days (15 day) of the receipt of this I/N, so that your case for regularization shall be processed further, failing which, your request/case for regularization of the aforesaid property will be rejected without any further communication to you.


Asstt. Engineer (Bldg.)
Najafgarh Zone

12. This Court further notes the submission of learned counsel appearing for the petitioner that the requisite documents are now in possession of the petitioner.
13. Accordingly, it is directed that the petitioner shall deposit the requisite documents with the MCD, within a period of ten days from today.
14. Upon the petitioner depositing the said documents, the MCD shall duly consider the said documents.
15. The petitioner shall also be granted a hearing at the time of considering the documents of the petitioner. If further documents are required, due opportunity shall be granted to the petitioner to deposit the further documents.
16. Accordingly, the impugned order dated 22nd August, 2025 is hereby set aside, and the application of the petitioner for regularization is restored.
17. Till the pendency of the regularization application of the petitioner before the MCD, it is directed that no coercive action shall be taken against the property of the petitioner.



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18. With the aforesaid directions, the present writ petition, along with the pending application, is disposed of.

MINI PUSHKARNA, J

NOVEMBER 10, 2025

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