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

% **Date of Decision: 30th July, 2025**

+ **W.P.(C) 11180/2025 & CM APPL. 45873/2025**

ANIJAY TYAGI

.....Petitioner

Through: **Mr. Yogesh Kumar Rajput and Mr. Vijay Kumar Dwivedi, Advs.**

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: **Ms. Sanam Tripathi and Mr. Apaan Mittal, Advs.**

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J (ORAL):

1. The present writ petition has been filed by the petitioner seeking direction to the Municipal Corporation of Delhi ("MCD") to decide the representation of the petitioner made on 22nd July, 2025, so that the petitioner can comply with the order dated 15th March, 2025 passed by this Court in *W.P.(C) 6522/2025*.
2. It is submitted that the petitioner had earlier filed a writ petition being *W.P.(C) 6522/2025* which was disposed of *vide* order dated 15th May, 2025, wherein, it was directed that the petitioner shall approach the MCD, which shall provide a list of deviations to the petitioner. The petitioner had also given an undertaking that upon the list of deviations being provided by the MCD, the petitioner himself shall carry out the demolition action for removal of such deviations.



3. However, learned counsel appearing for the petitioner submits that the petitioner has been unable to comply with the earlier directions of this Court on account of the medical exigency of the petitioner.
4. Attention of this Court has been drawn to the medical certificates and prescription of the petitioner to submit that the petitioner is suffering from back problem and has been advised complete bed-rest.
5. It is further submitted that the petitioner also got in touch with an architect and as per the architect engaged by the petitioner, the list of excess coverage as given by the MCD, is beyond the actual excess coverage and the said areas are compoundable in nature.
6. Responding to the present writ petition, learned counsel appearing for the respondents-MCD vehemently opposes the present writ petition and submits that the petitioner has approached the Court belatedly.
7. She submits that ten weeks time as granted by this Court *vide* order dated 15th May, 2025, has already expired on 25th July, 2025. She further submits that the list of deviations was duly given to the petitioner. However, no steps have been taken by the petitioner for removal of such deviations.
8. She further submits that nothing has been brought before this Court as regards the engagement of an architect by the petitioner.
9. Thus, she submits that the petitioner is bound to comply with the directions issued by this Court *vide* order dated 15th May, 2025.
10. In rejoinder, learned counsel appearing for the petitioner submits that on humanitarian grounds further time may be granted to the petitioner to do the needful. He further submits that the petitioner shall also file an application for regularization before the MCD, duly supported by a site plan of an architect, clearly showing the areas which are compoundable and non-



compoundable.

11. Having heard learned counsels for the parties, considering the submissions made before this Court, and in view of the medical exigency of the petitioner being shown to this Court, following directions are issued:

11.1 The directions as given by this Court *vide* order dated 15th May, 2025, shall be complied by the petitioner within a further period of six weeks from today.

11.2 The petitioner is also granted liberty to file a regularization application duly supported with a site plan of an architect, with the MCD, within a period of two weeks, from today.

11.3 Upon the petitioner submitting the application for regularization, the same shall be considered by the MCD, in accordance with law.

11.4 However, in the meanwhile, the petitioner shall commence demolition of such portions, which even as per the petitioner are excessive in nature, and are non-compoundable.

11.5 The application for regularization by the petitioner shall be dealt expeditiously by the respondents-MCD.

11.6 In case the application of the petitioner remains pending with the MCD beyond the period of six weeks as granted by this Court, the petitioner shall ensure that all the accepted deviations, are removed by the petitioner within the said period of six weeks.

11.7 Further removal of excess coverage shall be done by the petitioner, subject to the decision of the MCD in the regularization application of the petitioner.

11.8 In case, the MCD comes to a finding that the extent of deviations and excess coverage, as indicated by the MCD to the petitioner, is correct, the



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same shall be duly intimated to the petitioner, so that the petitioner takes action for removal of the same.

11.9 Subject to the petitioner removing the accepted deviations within a period of six weeks from today, no coercive action shall be taken by the MCD during the pendency of the regularization application of the petitioner.

12. Accordingly, with the aforesaid directions, the present writ petition along with the pending application, is disposed of.

MINI PUSHKARNA, J

JULY 30, 2025/KR