
(2025) 10 DEL CK 1301

In the Delhi High Court

Case No : Writ Petition (C) No. 3913 Of 2025 & Civil Miscellaneous Application
No. 47873 Of 2025

Ram Jeevan Sharma

APPELLANT

Vs

Municipal Corporation Of Delhi & Ors.

RESPONDENT

Date of Decision : 16-10-2025

Acts Referred:

Citation : (2025) 10 DEL CK 1301

Hon'ble Judges : Mini Pushkarna, J

Bench : Single Bench

Advocate : AK Suri, Meenakshi Choudhary, Ankit Kansal, Vikas Chopra, Neeraj Kumar, Arjun Mahajan, Apoorv Upmanyu, Harsh Vashisht

Final Decision : Disposed Of

Judgement

Mini Pushkarna, J

1. The present writ petitions pertain to the unauthorized construction over the property bearing No. B-7, C-58, Shardapuri, Ramesh Nagar, Delhi-110015.
2. W.P.(C) 3913/2025 had been filed, which was disposed of vide order dated 28th March, 2025, noting that part action has already been taken by the Municipal Corporation of Delhi ("MCD") and that further action was planned for 04th April, 2025.
3. Since, no further action was taken by the MCD, an application being CM APPL. 47873/2025 has been filed in W.P.(C) 3913/2025, for revival of the present writ petition.
4. W.P.(C) 4916/2025 has been filed by the occupier of the property bearing No. B-7, C-58, Shardapuri, Ramesh Nagar, Delhi-110015 on the ground that part demolition action was taken by the MCD in the property in question in the year 2018, and after that no further show cause notice was issued to the petitioner.
5. Subsequently, a Vacation Notice was issued by the MCD in the year 2025, on

account of which, W.P.(C) 4916/2025, was filed.

6. When W.P.(C) 4916/2025 was listed for hearing on the first date, this Court vide order dated 17th April, 2025 had issued the direction that no coercive action shall be taken against the property in question, till the next date of hearing. The said interim order is still continuing till date.

7. This Court is informed that there is a property dispute which is pending between the petitioner in W.P.(C) 3913/2025, and petitioner in

8. Learned counsel appearing for petitioner in W.P.(C) 4916/2025, who is the occupier of the property in question, submits that he had earlier approached the MCD for the purposes of regularization of the existing construction. However, he was informed that no such application shall be entertained by the MCD, since a title dispute is pending with respect to the property in question.

9. Learned counsel for the petitioner in W.P.(C) 3913/2025 confirms that a property dispute is pending between the parties. He submits that a title suit being CS/DJ/690/2023, has been filed on behalf of the petitioner in W.P.(C) 3913/2025, in which the petitioner in W.P.(C) 4916/2025, is a defendant.

10. In view of the submissions made before this Court, this Court is of the considered view that the process of this Court shall not be used for the purposes of settling personal scores between the parties. Merely because there is a private dispute with regard to title and ownership of the property in question between the petitioner in W.P.(C) 3913/2025 and petitioner in W.P.(C) 4916/2025, the Court will not be a party to such disputes between the parties.

11. Accordingly, it is directed that without going into the issue of title or ownership of the property, the MCD shall consider the application of the petitioner in W.P.(C) 4916/2025, who is the occupant of the property in question, for regularization of the property in question.

12. Liberty is accordingly granted to the petitioner in W.P.(C) 4916/2025 to file an application for regularization of the existing construction.

13. Upon receipt of such application, the MCD shall consider the said application and pass appropriate orders. However, at the time of considering the application, the MCD shall not go into the issue of title or ownership of the property in question.

14. It is further clarified that merely because regularization application is being allowed to be filed by the petitioner in W.P.(C) 4916/2025, or any regularization order that may be passed by the MCD, the same shall not confer any special equity on the petitioner in W.P.(C) 4916/2025.

15. It is clarified that the issue as regards the rights and title of the property in question, shall be decided in the suit, which is pending between the parties.

16. With the aforesaid directions, the present petitions, along with pending

applications, are accordingly disposed of.