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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 1766/2018 & CM APPL. 51117/2025, CM APPL. 79912/2025

GP CAPT BHAGAT SINGH DAULTA AND ORS.Petitioners
Through: Mr. Chandra Chur Bhattacharyya,
Advocates with petitioners in person
(M:9810878919)
versus

DELHI DEVELOPMENT AUTHORITY AND ORS.

.....Respondents
Through: Ms. Beenashaw N. Soni, ASC-DDA
with Ms. Ann Joseph, Advocates
(M:9810046611)
Mr. Tushar Sannu, SC-MCD with Mr.
Shivam, Advocate (M:9911991166)
Ms. Madhurima Ghosh, Advocate for
R-4 (M:9650276182)

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDRE
18.12.2025

CM APPL. 51117/2025

1. Pursuant to the directions of this Court, an affidavit has been filed on behalf of the Delhi Development Authority (“DDA”), wherein, DDA has given details of the compoundable and non-compoundable deviations under the Unified Building Bye Laws, 2016 and Master Plan of Delhi, 2021.
2. This Court is informed that most of the individual flat owners have already given a representation to the DDA for the purposes of regularization of their individual flats.



3. The individual flat owners are directed to carry out rectification in their individual flats as per the details given by the DDA in the affidavit, relevant portions of which, are reproduced as under:

“xxx xxx xxx

3. Therefore, pursuant to the aforesaid order the site was again inspected by the by the Junior Engineer (Bldg.)/L&I-II of the Building Section DDA in the presence of President/Secretary of the Society on 16.09.2025 to determine the present status of unauthorized construction/encroachment in the society and identify the construction/deviations which are compoundable and non-compoundable under UBBL-2016 and MPD-2021 specifications. During the site inspection the following deviations were observed and photographs of the same are annexed herewith as **ANNEXURE-B**.

S.NO.	BLOCK	FLAT NO.	DESCRIPTION
1.	1A	111,112,113,114	These flats have extended their first-floor slabs by approximately 1.0 to 1.5 meters, projecting outward from the original building line. These extended portions are being referred to as open terraces or passageways open
2.	1B	115,116,117,118	
3.	2A	211,212,213,214	
4.	2B	215, 216, 218	
5.	3A	311, 312, 314	
6.	3B	315, 316, 317, 318	
7.	4A	411, 412, 413, 414	
8.	4B	415, 416, 417	

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9.	5A	511, 512, 513, 514	to the sky.
10.	5B	515, 516, 517	All the respective flat owners have covered these extended areas, either with plastic/fibre sheets or by constructing brick walls, and are presently utilizing the space for personal use.
11.	6A	611, 612, 613, 614	
12.	6B	615, 616, 617, 618	As per the Unified Building Bye-Laws (UBBL)-2016 and the provisions of the Master Plan for Delhi (MPD)-2021, such extensions and coverage are considered Non-compoundable

4. It is further submitted that various utility shops are operational adjacent to Flat No. 418 of Block 4B, which includes the following:

- (a) *Grocery Store (located on the stilt floor)*
- (b) *Vegetable Shop (located on the stilt floor)*
- (c) *An Army Canteen (located on the first floor)*
- (d) *An Electric Substation (located on the stilt floor)*
- (e) *Guest Room (In Block No 5)*
- (f) *Society office*
- (g) *Rest room for worker/staff*
- (h) *Store room in Basement*
- (i) *Guard Room*



The aforementioned deviations except grocery store and vegetable shop may be compounded subject to the condition that these are within permissible FAR and also subject to the preparation of comprehensive layout plan of the society as approved in General Body Meeting (GBM) of the society.

xxx xxx xxx



6. That unauthorized construction has been carried out by below mentioned flat owners on the terrace areas, which are designated as open-to-sky spaces in their respective blocks. It is pertinent to mention that these are non-compoundable items as per UBBL-2016 and MPD-2021.

S.NO.	BLOCK	FLAT NO.	DESCRIPTION
1.	2A	216,217	Terrace area covered with AC Sheet and a brick wall constructed for partition.
2.	2B	213	Terrace covered
3.	3B	316	Terrace covered
4.	4A	412, 413	Terrace area covered with AC Sheet and a brick wall constructed for partition.

xxx xxx xxx”

4. In case any owner/occupier has any objection to the details of the compoundable or non-compoundable deviations as given by the DDA, they are at liberty to approach the DDA in this regard.
5. At request of learned counsel for the DDA, it is clarified that the DDA can proceed with respect to the regularization process of individual flat owners. However, as regards the completion certificate, the same shall be issued to the society, once the DDA is satisfied with respect to the unauthorized construction having been removed in the individual flats.
6. Needless to state that in case the DDA takes any action for demolition itself, individual flat owners, in case aggrieved, have the liberty to seek remedies, in accordance with law.
7. With the aforesaid directions, the present application is accordingly,



disposed of.

CM APPL. 79912/2025

8. In view of the direction issued in *CM APPL. 151117/2025*, there is no need to appoint a Local Commissioner in the present matter.
9. The present application is accordingly disposed of.

MINI PUSHKARNA, J

DECEMBER 18, 2025/au