

Item No. 2
PPA No. 01/2026
Jaspreet Kaur & Ors. Vs. DDA

10.02.2026

Present: Ms. Namita Roy and Ms. Anjali Kumari, counsels
for the appellants alongwith the appellants.
Sh. Sahil Sehrawat and Sh. Rohit Kumar, counsels
for DDA/the respondent.

As per record, the appellants have moved the
application u/s 151 CPC. Copy given.

Counsel for the respondent submits that the
respondent has authorized him to appear on its behalf and seeks
time to file Vakalatnama and reply to the appeal and the
applications. Request allowed.

Let the vakalatnama and the reply to the appeal and
the applications be filed within 07 days from today with advance
copy to counsel for the appellants.

Counsel for appellants pressed for interim reliefs as
prayed in two separate applications.

Heard.

Put up for order at 03:00 PM today.

(PANKAJ GUPTA)
Principal District & Sessions Judge
South-West, Dwarka Courts
New Delhi/10.02.2026

It is 03:00 PM

Present: None.

Counsel for the appellants prayed for stay of the impugned order dated 17.12.2025 and to de-seal the ground floor of the suit premises.

At the outset, it is mentioned that the suit premises i.e. Plot No. H-2/11, Vikas Puri, New Delhi (suit premises) is governed by Public Premises (Eviction Unauthorized Occupants) Act, 1971 (the Act) .

Perusal of the record reveals that the lease of the suit premises was cancelled on 30.11.2004. Thereafter, the eviction proceeding under the Act was initiated by the respondent w.r.t. the suit premises and first notice to that effect was issued to the appellants on 11.05.2005. In response thereto, the appellants entered in appearance but have left no stone unturned to delay the said proceeding on the pretext that their case for restoration of the lease deed was pending before the competent authority and that they had applied for conversion of the suit premises from leasehold to freehold. During the said proceeding, most of the time, the appellants either remained absent or reiterated the same version. Ultimately, left with no option, the respondent, vide impugned order dated 17.12.2025, ordered that the “unauthorized occupants” of the suit premises be vacated within 15 days from the date of issue of the same. As such, till passing of the impugned order, the proceeding before the respondent under the Act remained pending for “20 years”.

It is worth mentioning here that during the course of argument, counsel for the appellants reiterated that the appellant’s applications for restoration of the lease and for conversion of the suit premises from leasehold to freehold are

still pending and the respondent/competent authority has not disposed of the same till date. However, the appellants have failed to explain what steps they have taken for expeditious disposal of their applications which are not decided for last 20 years as revealed from the record. Further, prima-facie, it appears that it is the appellants who took the advantage of pendency of the said applications.

During the course of argument, counsel for the appellants has relied upon the order dated 20.01.2026 passed by the Hon'ble Delhi High Court in WP (C) No.803/2026 vide which the appellant's petition was dismissed as withdrawn with liberty to prefer the statutory appeal under the Act.

As mentioned above, notice on the application for stay and the application u/s 151 CPC has already been accepted by the respondent. Further, in terms of the impugned order, the appellants are the unauthorized occupants of the suit premises. On the other hand, the appellants have failed to show any prima-facie right in the suit premises. Therefore, in view of the foregoing discussion, I am of the opinion that it is not a fit case to grant interim reliefs to the appellants, as prayed, at this stage.

Put up for reply and argument on the appeal and the applications on 18.02.2026.

(PANKAJ GUPTA)
Principal District & Sessions Judge
South-West, Dwarka Courts
New Delhi/10.02.2026