



\$~90

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

+ **W.P.(C) 3750/2026**

KRISHAN KUMAR

.....Petitioner

Through: Mr. Vakul Sharad Sharma, Adv.
versus

DELHI DEVELOPMENT AUTHORITY & ORS.Respondent

Through: Ms Manika Tripathy SC for DDA
with Mr Aakash Mohar Adv and Ms Nandini Goel
Adv for R1

Ms Avni Singh (Panel Counsel-GNCTD) with Mr
Vaibhav Sharma, Advocates for R2

Mr. Chintamani Shukla, Ms. Shilpa Diwanm,
Advs. for R3

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

%

24.03.2026

CM APPL. 18331/2026, CM APPL. 18332/2026

Allowed subject to all just exceptions.

The applications stand disposed of.

W.P.(C) 3750/2026

1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

“a) Issue a Writ of Mandamus or any other appropriate writ directing the Respondent No. 1 to carry out demarcation of Khasra Nos. 35/12/1 and 35/12/2, Village Deoli along with Khasra No. 134 and mark the boundaries of the same accordingly;

b) Issue a Writ of Mandamus or any other appropriate writ directing the Respondent No. 3 not to possess/occupy the land



on the basis of survey conducted by them in regards to the land bearing Khasra no. 134, Devli, New Delhi forcefully and without following due process of law; . . .”

2. It is the case of the petitioner that the land bearing Khasra Nos. 35/12/1(1-14) and 35/12/2(2-14) situated at Village Deoli, New Delhi has been ancestral *bhumidari* land of the family of the petitioner and is so recorded in the revenue records.
3. The petitioner and his family have been peacefully residing in the portion for more than last 40 years.
4. On 28.11.2024, officials of the respondent No.3/MCD conducted a survey to identify encroachments in Khasra No. 134, and the standing ancestral structure of the petitioner was incorrectly identified as encroachment.
5. On 06.01.2025, the petitioner submitted a representation to the respondent No.1/ DDA seeking fresh demarcation of his Khasra No. 35/12/1 and 35/12/2.
6. However on 21.06.2024, the respondent No.1 allotted land measuring 16765.07 sq. mtrs. in Khasra No.134 to the respondent No.3 for Solid Waste Management Facility.
7. On 17.04.2025, the respondent No.3 issued a Show Cause Notice for removal of encroachment on Khasra No.134.
8. Mr. Sharma, learned counsel for the petitioner states that his prayer is limited only to demarcation of his Khasra Nos. 35/12/1(1-14) and 35/12/2(2-14), so that his property is not taken over by the respondents.
9. In the present case, admittedly, the respondent No.3 issued a Show



Cause Notice dated 17.04.2025 to the petitioner as to removal of encroachments on Khasra No. 134.

10. Thereafter, the respondents also issued public notice in the month of July-August, 2025 calling for personal hearing. The petitioner did not participate in the same.
11. Having failed to participate in the public hearing, the petitioner cannot now maintain the writ petition by stating that his property is being taken away by the respondents.
12. Additionally, the respondent No.3 also states that they are only removing encroachments from Khasra No. 134 and not Khasra No. 35/12/1 and 35/12/2 and that too after following the due process of law. It is also stated that the Khasra No. 134 is required for a public purpose i.e. for setting up Solid Waste Management Facility.
13. The petitioner is also aggrieved by the identity of his Khasra numbers.
14. The same are disputed questions of fact for which the petitioner has equally efficacious remedy available in law. This Court under writ jurisdiction will not go into disputed questions of fact.
15. In view of the aforesaid, the petition cannot be entertained and is accordingly dismissed.

JASMEET SINGH, J

MARCH 24, 2026 / (MS)