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

+ **W.P.(C) 3814/2026**

ASHOK JAIN & ORS.

.....Petitioners

Through: Mr. Anuj Jain & Mr. Mani Bhadra
Jait, Advocates.

versus

GOVERNMENT OF NCT OF DELHI & ORS.Respondents

Through: Ms. Harita Mehta, Advocate for
MCD.

Mr. Sameer Vashisht, Standing
Counsel (Civil) with Mr. Shiven
Verma, Panel Counsel (Civil)
GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

% **25.03.2026**

CM APPL.18661/2026

1. Exemption is allowed, subject to all just exceptions.
2. The Application stands disposed of.

W.P.(C) 3814/2026 & CM APPL.18660/2026

3. Heard the learned Counsel for the Parties.
4. In view of the proposed order, requirement of issuance of Notice to the Respondents is dispensed with. However, on behalf of *Municipal Corporation of Delhi*- Ms. Harit Mehta, learned Counsel enters in appearance, whereas Mr. Sameer Vashisht, learned Standing Counsel enters in appearance on behalf of *Government of NCT of Delhi*.



5. The prayer made in this Writ Petition by the Petitioners is that an appropriate direction may be issued to the authorities concerned for setting aside the Notification dated 29.07.2016 issued by Respondent No.1 (**“Impugned Notification”**) insofar as it pertains to the Petitioners’ property bearing No.5767, Jogiwara, Nai Sarak, Delhi, which is reflected at serial No.491 of the Impugned Notification. A declaration has also been sought that inclusion of the Petitioners’ aforesaid property as heritage property under the Impugned Notification is illegal.

6. It has been stated by the learned Counsel for the Petitioners that for delisting his property from the list of the properties, several representations have been made in past by the Petitioners, however, the same have not been attended to as no decision has been communicated by the authorities concerned.

7. An objection, though has been raised by the learned Counsel representing Delhi Government that the Impugned Notification including the Petitioners’ property in the list of the heritage property was taken way back in the year 2016 after following due process and also invited objection from the general public, however, the Petitioners did not file any objection and as such at this juncture, the prayer made cannot be considered.

8. Be that as it may, having regard to the oral facts and circumstances of the case, we permit the Petitioners to approach the competent authority, namely, Heritage Conservation Committee qua ventilation of their grievances by way of making a fresh representation taking all the pleas, which will be available to the Petitioners and enclosing thereto all the documents, on which they intend to rely on. The said representation shall be made within a period of 10 days and once any such representation is made,



the same shall be attended to by Respondent No.3-Heritage Conservation Committee and appropriate decision, which will be warranted under law shall also be taken within eight weeks thereafter.

9. We also provide that the Heritage Conservation Committee, while taking the decision on the representation to be preferred by the Petitioners under this order, shall be at liberty to call for any reports or make consultation with other relevant authorities as such.

10. With the aforesaid observation, the Petition stands finally disposed of. However, we make it clear that any observation made herein shall not be construed to be our reflection on the merit of the claim of the respective Parties.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

MARCH 25, 2026
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