



\$~12(SDB)

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

+ **W.P.(C) 5950/2025 & CM APPL.27263/2025**

SURENDER SINGH AND ORS.

.....Petitioners

Through: None.

versus

UNION OF INDIA AND ORS.

.....Respondents

Through: Mr Tushar Sannu, Mr Vaibhav Tripathi, Ms Pulak Gupta Joshi, Ms Payal Rajput for DJB, Deepak Rohilla -SE, Anil Rana-EE, S.K Meena -EE, Ranesh Yadav AE, Astik Jha -AE-Mr. Sudhir
Ms Prabhsahay Kaur, SC DDA with Ms. Anmol Kaur, Mr. Aditya Verma, Advocatess for DDA.
Mr. Bhagwan Swarup Shukla, CGSC with Mr. Dashmesh Tripathi, Advs. for UOI.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **28.03.2026**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioners under Article 226 of the Constitution of India, *inter alia*, seeking issuance of an appropriate writ directing the Respondents to restrain from demolishing the properties of the Petitioner. The Petitioners further pray for providing alternate reliefs. The prayers sought by the Petitioners read as under:

“a) Issue a writ or any other Order in nature of a Writ of Mandamus or any other Writ of appropriate nature, thereby directing the Respondents to remove the demarcation and marking of the Petitioners properties and thereby, stay the demolition of the same;



b) pass directions to the Respondents to follow the measurements as mentioned in the proposed drainage plan;

c) pass directions to the Respondents to re-consider the drainage plan and hold a meeting with the building owners, giving them an opportunity of hearing;

d) pass any order/relief/direction(s) may deem fit and proper in the interest of justice in favour of the Petitioner

In alternative:-

e) direct the Respondents to grant appropriate compensation to those being affected due to the said demolition or provide them with some alternative accommodation.”

3. On 5th May, 2025, it was submitted on behalf of the Petitioners that since the demolition action has already taken place, the only prayer of the Petitioners that remain is in respect of the compensation thereof. The relevant portion of the order dated 5th May, 2025 reads as under:

“3. This is a fresh writ petition filed by persons, who were occupants of areas near Taimoor Nagar drain, whose properties were to be demolished this morning in terms of the previous order dated 28th April, 2025.

4. Mr. Sandeep Sharma, Id. Senior Counsel appearing for the Petitioners fairly submits that the demolition action has commenced in the morning and therefore, the only prayer that survives is the final prayer which reads as under:

"e) direct the Respondents to grant appropriate compensation to those being affected due to the said demolition or provide them with some alternative accommodation.”

4. On the last date of hearing i.e., 17th December, 2025, this Court directed as under:

“2. This matter relates to the compensation for unauthorised dwellers of the areas adjoining the



Taimoor Nagar Drain. Vide order dated 5th May, 2025, this Court had recorded as under:

“1. This hearing has been done through hybrid mode.

CM APPL.27264/2025 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

W.P.(C) 5950/2025 & CM APPL.27263/2025 (for interim direction)

3. This is a fresh writ petition filed by persons, who were occupants of areas near Taimoor Nagar drain, whose properties were to be demolished this morning in terms of the previous order dated 28th April, 2025.

4. Mr. Sandeep Sharma, Id. Senior Counsel appearing for the Petitioners fairly submits that the demolition action has commenced in the morning and, therefore, the only prayer that survives is the final prayer which reads as under:

“e) direct the Respondents to grant appropriate compensation to those being affected due to the said demolition or provide them with some alternative accommodation.”

5. Let the copy of this petition be served upon both the Counsels for the DDA and DUSIB, who may seek instructions in this matter, if there is possibility of providing any alternative EWS flats to the Petitioners.

6. List on 26th May, 2025.”

3. The stand of the Delhi Development Authority (hereinafter, ‘DDA’) in respect of the EWS flats has not been placed on record. Let DDA and the Delhi Urban Shelter Improvement Board (hereinafter, ‘DUSIB’) file an affidavit in terms of the above order.



4. *Let Court notice be issued to Mr. Anuj Chaturvedi, Id. Counsel for DUSIB by the Registry for filing of the affidavit in this regard.”*

5. None appears for any of the Petitioners. Various orders have been passed in this matter by this Court from time to time and the encroachments upon the *Taimoor Nagar drain* have been removed.

6. Moreover, insofar the allocation of alternate flats is concerned, Id. Counsel for the Delhi Development Authority (hereinafter, ‘DDA’) has placed on record two circulars including the circular dated 23rd January, 2020 for DDA *Nagrik Awaas Yojana* 2026 for HIG, MIG, LIG and EWS Flats in Narela and LIG Flats in Siraspur as also DDA *Apna Ghar Awaas Yojana* 2025 for the same category. There are several flats which are available and if any of the Petitioners are inclined to apply under these schemes, they are free to do so. Ordered accordingly.

7. The supervision of the *Taimoor Nagar drain* is already taking place by this Court as the same is also the subject matter in ***W.P.(C) 13190/2024*** titled ‘***Maharani Bagh Cooperative Housing Society v. UOI & Ors***’.

8. Insofar as relief of compensation is concerned, the Petitioners may avail of their civil remedies in accordance with law.

9. The petition is disposed of in these terms. All pending applications are also disposed of.

PRATHIBA M. SINGH, J

MANMEET PRITAM SINGH ARORA, J

MARCH 28, 2026

Rahul/ck