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

+ W.P.(C) 6871/2025

PURBO DELHI KALI BARI SAMITI AND ORSPetitioners

Through: Mr. Vishnu Shankar Jain, Ms. Kevika Dahiya and Ms. Manbaug Khongwin, Advs.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Ms. Prabhsahay Kaur, SC for DDA with Ms. Aryma Sharma, Ms. Antara Mishra and Mr. Bir Inder Singh, Advs. for R-2 and R-3.
Mr. Bhagwan Swaroop Shukla, CGSC for UOI with Mr. Yash Baralia, Adv.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **30.10.2025**

CM APPL. 67454/2025 (stay)

1. This application has been filed by petitioner seeking stay of demolition of petitioner's temples pursuant to the public notice dated 17th October 2025, which was pasted on the temple premises, issued by the *Deputy Director (Horticulture), Delhi Development Authority ('DDA')*.
2. It is noted that the writ petition was initially taken up by this Court on 21st May 2025, and thereafter on 28th May 2025, when counsel appearing on behalf of petitioners prayed for an adjournment. After that, the matter was listed on 28th August 2025; however, it could not be taken up and is now listed for 8th December 2025.
3. The instant application has been filed, being aggrieved by the public notice, which directs demolition in light of *Religious Committee's* decision



in the meeting held on 25th October 2024 under the chairmanship of Principal Secretary Home.

4. As per the public notice, the Religious Committee recommended to DDA, for removal of encroachments/unauthorised religious structures, and, accordingly, the notice states that a demolition drive was proposed against the encroachment of *Children Park near Pocket-F, Mayur Vihar Phase-II, Sanjay Lake* on 31st October 2025.

5. Counsel for petitioner essentially contends that they ought to have been heard by the Religious Committee and principle of natural justice ought to have been complied with.

6. To the contrary, *Ms. Prabhsahay Kaur*, Standing Counsel for DDA, has drawn attention of this Court to the decision taken by the Religious Committee in this regard and has handed up a file noting with Minutes of the Meeting in which this issue has been assessed and the decision is noted as part of *paragraph 7*. The said meeting was attended by the representatives of DDA, Delhi Police and other officials of GNCTD, Home Department.

7. A perusal of said noting bears out that all three unauthorised religious structures, *viz. Kalibari Temple, Kedarnath Temple and Bardrinath Temple* are all located in park/water body at *Sanjay Lake, Trilokpuri, New Delhi*, and physical possession, care and maintenance of said land is with DDA.

8. It was noted that in light of order of the Supreme Court in *Union of India v State of Gujarat* on 29th September 2009, in SLP (C) No. 8519/2006, and after taking into account all documents and photographs of unauthorised religious structures and considering the observations of Delhi Police, the Religious Committee recommended removal of unauthorised religious structures by following due process of law.

9. *Ms. Prabhsahay Kaur* also states that the action taken against these, and other such unauthorised religious structures, is being constantly



monitored by the Division Bench of this Court, headed by the Chief Justice, Delhi High Court, in *Writ Petition (Civil) 13581/2018*, where action taken reports (ATR) are being filed on a consistent basis. In these circumstances, she objects to plea for stay of demolition proceedings by the petitioners/applicants.

10. Moreover, she states on basis of a document handed up that the said area is notified as forest land and in any event, it is reprehensible that these structures are continuing in an unauthorised manner.

11. Considering that Religious Committee is chaired by the Principal Secretary (Home) (GNCTD), it may be imperative to get the views of GNCTD in this regard.

12. Accordingly, notice be sent to the Standing Counsel, GNCTD apprising them of this matter and soliciting their views by the next date.

13. At oral request of *Ms. Prabhsahay Kaur*, the Department of Forest and Wildlife, GNCTD also be impleaded as a party to the present proceedings. Standing Counsel from the said department may also take instructions with respect to what has been noted above.

14. List on 3rd November 2025.

15. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 30, 2025/sm/bp