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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 8421/2025 & CM APPL. 36649/2025, CM APPL. 36650/2025, CM APPL. 41489/2025, CM APPL. 6642/2026**
MEENA PANDITPetitioner

Through: Mr. Akshit Sachdeva & Mr. Arun Kumar, Advs. (8448126500)

versus

REGISTRAR OF COOPERATIVE SOCIETIES & ORS.

.....Respondents

Through: Ms. Vinod Zutshi, Adv. for R-3 (9868944476)
Ms. Mrinalini Sen, SC, DDA with Ms. Aditi Saxena, Mr. Aditya Vaibhav Singh, Mr. Chirag Sahni & Ms. Riya Parihar, Advs. (7065301612)

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE MADHU JAIN

ORDER
% **30.01.2026**

1. This hearing has been done through hybrid mode.

C.M. 6642/2026

2. The present petition has been filed, *inter alia*, seeking directions to the Registrar of Co-operative Societies and the Municipal Corporation of Delhi to conduct a joint survey and inspection of the subject site for identification of illegal construction at Respondent No. 3 - Satisar Co-Operative Group Housing Society Ltd. (hereinafter "*the Society*"). In addition the Petitioner had prayed for demolition of the existing illegal construction.



3. The case of the Petitioner is that she and her husband who are living in the Society are senior citizens aged about 78 years, and are suffering from several medical ailments. In particular, the Petitioner is stated to be a heart patient. The Petitioner is aggrieved by the actions of the Managing Committee of the Society which was carrying out illegal construction of a temple at the subject site within the Society's premises. It is stated that the illegal construction of the temple and the pujas which would be conducted in the early morning or late evenings, would severely affect the sleep, rest and recovery of the Petitioner and her husband. The Petitioner is also aggrieved by the fact that the illegal construction had been undertaken on the 'Green Area' of the Society.

4. Further to the directions of the Court, the Delhi Development Authority (hereinafter "DDA") was also made party to the present writ petition. As per the Status Report dated 22nd September, 2025 filed by the DDA, an inspection of the subject site was conducted on 18th August, 2025, whereby it was found that there was temporary structure created to house an idol (*Shivling*) and a *Trishul*. It is stated that, thereafter, a letter dated 19th August, 2025 was issued to the President/Secretary of the Society directing removal of the temporary encroachment within 7 days in terms of the Delhi Development Act, 1957. However, the said directions were not complied with by the Society.

5. Accordingly, Show Cause Notices were issued to the Society on 4th September, 2025 and 16th September, 2025 fixing dates for personal hearing on 15th September, 2025 and 18th September, 2025, respectively. The stand of the Society, as recorded in the Status Report, is as under:

"There is only a Shivlinga established in a corner of



the society and no permanent structure has been made. Being a matter of faith, the removal of the same may be sensitive. Further, as the matter is sub-judice before the Hon'ble Court, the society shall remove the Shivlinga as and when directed by the Hon'ble Court.”

6. The above was examined and found to be unsatisfactory by the DDA in light of the Unified Building Bye-Laws, 2016 and Master Plan of Delhi, 2021. Therefore, on 19th September, 2025, the DDA issued a Sealing-cum-Demolition order to the President/Secretary of the Society directing to demolish the illegal and unauthorised construction of their own within a period of 7 to 15 days.

7. The said order was also not complied with by the Society. On 12th December, 2025, the Court had directed the DDA to report on the compliance by the next date of hearing. In view thereof, the DDA had filed a Compliance Affidavit dated 7th January, 2026, wherein it is stated that the DDA had issued another order to the Society on 11th December, 2025 directing implementation of the Sealing-cum-Demolition order dated 19th September, 2025. It is also stated that the demolition was scheduled on 18th December, 2025, however, the same could not be conducted due to protests by the public. Accordingly, the demolition was re-scheduled on 20th December, 2025, on which date the DDA had sought Police assistance, however, it was found that temporary encroachment had been removed from the subject site by the Society itself.

8. Despite the above, the present application has been moved by the Petitioner to the effect that the structure, consisting of a *Shivling* and a *Trishul*, has now been moved closer to the flat of the Petitioner, instead of being



removed from the Society.

9. The relevant photographs have been annexed with the present application and the same have been perused by the Court. The same are extracted hereunder for ease of reference:







10. It appears from the above, that the Society has removed the previous structure and has now moved the idols into a roundabout within the society which is a green patch. Further illegal construction has also been done.

11. Ld. Counsel for the DDA submits that the said illegal construction is in



teeth of the Sealing-cum-Demolition orders passed by the DDA.

12. In the opinion of the Court, the Society has clearly violated the directions of the DDA to remove the temporary structure and has attempted to mislead the authorities as also the Court by transferring the illegal structure from one location to another. It is also evident from the above pictures that the Society has undertaken further construction by creating a tin roof and support structures around the *Shivling*.

13. It is made clear that the manner in which the same has been placed in a roundabout which is a green patch is completely not acceptable to the Court. The Residents Welfare Association cannot insist on creating a place of worship in this manner without consent of all residents of the Society- that too contrary to the applicable Rules and Bye-laws. Moreover, such residents would involve senior citizens having medical ailments etc, and would not wish to be disturbed at early mornings or late evenings/nights. An empathetic and considerate view has to be taken before creating such structures. The movement of the religious idols in the manner as has been done is clearly contrary to the orders passed by the DDA and is an attempt to completely mislead the Court and interfere in the administration of justice.

14. Accordingly, issue notice of contempt as to why contempt action should not be initiated against the Secretary of the Residents Welfare Association of the Society. Mr. Suraj Raina, Secretary of the Residents Welfare Association of the Society shall remain physically present in Court on the next date of hearing.

15. In the meantime, let DDA inspect the Society and identify a proper place where the religious structure can be moved so that none of the residents are affected. However, the same shall be done in terms of the applicable laws,



Regulations, and the Bye-laws. It is made clear that any relocation, if possible, would be done in compliance with the applicable laws and with consent of all residents. If the same is not feasible, the *Shivling* and the *Trishul* shall be donated to a local temple in accordance with all customs and rites.

16. Further, considering the nature of the matter, the SHO of the concerned Police Station is directed to provide assistance to the DDA for undertaking the inspection and survey of the Society.

17. Let a status report be filed by the DDA by the next date of hearing.

18. List on 2nd March, 2026.

PRATHIBA M. SINGH, J

MADHU JAIN, J

JANUARY 30, 2026

kk/msh