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

+ W.P.(C) 11255/2020

RAMHET SINGH AND ORS

..... Petitioners

Through Mr Sumit Bansal, Advocate.

versus

DELHI DEVELOPMENT AUTHORITY AND ANR.....Respondents

Through Mr Dhanesh Relan, Advocate for DDA.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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31.12.2020

[Hearing held through videoconferencing]

CM APPL. 35077/2020

1. Allowed, subject to all just exceptions.

W.P.(C) 11255/2020 & CM APPL. 35076/2020 (stay)

2. The petitioners have filed the present petition, *inter alia*, impugning a notice dated 26.12.2020.

3. A bare reading of the said notice indicates that the same has been issued on the premise that the property occupied by the petitioners does not form a part of the regularized colony of Vijay Vihar.

4. Mr Relan, learned counsel appearing for the DDA submits that the petitioners have raised construction unauthorizedly and are not protected by any orders. He also submits that the properties in question are not a part of the layout plan submitted for regularization of the unauthorized colony of



Vijay Vihar. He seeks time to place on record the outline of the unauthorized colony of Vijay Vihar which is being regularized and the location of the properties occupied by the petitioners. In addition, he submits that even if the properties of the petitioners fall within the boundaries of the layout plan of the unauthorised colony they would not be entitled for any protection if the construction was raised after the initial map had been submitted.

5. Mr Bansal, learned counsel appearing for the petitioners does not dispute that if the properties in question are not within the boundaries of the layout plan of Vijay Vihar, they are liable to be demolished. He, however, submits that the layout plan of the regularized colony as put up by DDA on its website clearly includes the properties occupied by the petitioners.

6. Considering the above, the scope of the controversy in the present petition is confined to the questions: (i) whether the properties occupied by the petitioners fall within the boundaries of the unauthorized colony of Vijay Vihar and (ii) if so, whether the same had been constructed after the initial map layout plan has been submitted.

7. Let a comprehensive counter affidavit/reply be filed within a period of one week from today.

8. List on 11.01.2021.

9. In the meanwhile, no precipitate action shall be taken against the petitioners by the respondents.

VIBHU BAKHRU
(Vacation Judge)

DECEMBER 31, 2020/pkv