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

+ **W.P.(C) 9716/2025 and CM APPL. 40731/2025**

SUNEET DARGAN & ANR.

.....Petitioners

Through: Mr. Kunal Bhatia, Mr. Akshay
Kumar and Mr. Mukesh Kumar, Advocates.

versus

**DELHI DEVELOPMENT AUTHORITY
AND ORS**

.....Respondents

Through: Mr. Gaganmeet Singh Sachdeva,
Advocate for R1 and R2.
Ms. Vasu Singh, ASC for MCD.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER
14.07.2025

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CM APPL. 40731/2025

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

W.P.(C) 9716/2025

3. The present petition has been filed by petitioners seeking direction to respondent nos. 1 and 2 to book unauthorized constructions and demolish the illegal constructions in the Evergreen CGHS Ltd., Sector-7, Dwarka, New Delhi – 110075 [hereafter the 'Society']. Further direction has been sought to restrain respondent nos. 3 and 4/occupants of Flat no. 49 in the said society from raising further illegal construction.
4. The learned counsel appearing on behalf of petitioners submits that



respondent nos. 3 and 4 are joint owners of Flat no. 49 in the aforesaid Society and were carrying out illegal construction. To support his submission, he has invited attention of the Court to the photographs which have been annexed as Annexure A-2 to the present petition.

5. In view of above, issue notice.

6. Mr. Gaganmeet Singh Sachdeva, learned counsel appearing on behalf of respondent nos. 1 and 2 accepts notice.

7. Mr. Lokesh Sharma, respondent no.3 is appearing in person. He accepts notice on his own behalf as well as on behalf of respondent no.4, who is stated to be his wife. He submits that petitioners are targeting the respondent nos. 3 and 4 as they had opposed charging of inappropriate water dues by the Society, while other flat owners who have raised unauthorised construction have not been named in the present writ petition.

8. Mr. Sachdeva has referred to the order dated 28.08.2024 passed by this Court in the earlier writ petition filed by the petitioner being W.P.(C) 11809/2024 to contend that vide said order direction was given to the respondent/DDA to take appropriate action in accordance with law. He submits that pursuant to the said order steps have been taken.

9. Let status report be filed by respondent/DDA placing on record the extent of unauthorized construction carried out by the members/residents of the Society in their respective flats, within six weeks. Needless to state that report shall be an exhaustive one and must specify encroachment and unauthorized construction in each flat of the Society.

10. Re-notify on 03.11.2025.

11. Let counter-affidavit be filed by other respondents within six weeks. Rejoinder thereto be filed within three weeks thereafter.



12. Re-notify on 03.11.2025.

JULY 14, 2025/jg

VIKAS MAHAJAN, J