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

+ W.P.(C) 10190/2024

SMT. SUDERSHAN BHATIAPetitioner
Through: Mr.Rohit Jain and Mr.Gaurav
Jain, Advocates.

versus

DELHI DEVELOPMENT AUTHORITYRespondent
Through: Ms.Shobhana Takiar, Standing
Counsel with Mr.Kuljeet Singh,
Advocate for DDA.

+ W.P.(C) 10191/2024

SH. PYARA LALPetitioner
Through: Mr.Rohit Jain and Mr.Gaurav
Jain, Advocates.

versus

DELHI DEVELOPMENT AUTHORITYRespondent
Through: Ms.Shobhana Takiar, Standing
Counsel with Mr.Kuljeet Singh,
Advocate for DDA.

+ W.P.(C) 10192/2024

SH.ABHAY TAYALPetitioner
Through: Mr.Rohit Jain and Mr.Gaurav
Jain, Advocates.

versus

DELHI DEVELOPMENT AUTHORITYRespondent
Through: Ms.Shobhana Takiar, Standing
Counsel with Mr.Kuljeet Singh,
Advocate for DDA.

+ W.P.(C) 10206/2024



M/S. SWASTIK POLYMERS

.....Petitioner

Through: Mr.Manoj Chouhan, Mr.Ujjwal
Singh Parmar and Ms.Neha Raj
Singh, Advocates.

versus

DELHI DEVELOPMENT AUTHORITYRespondent

Through: Ms.Shobhana Takiar, Standing
Counsel with Mr.Kuljeet Singh,
Advocate for DDA.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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26.07.2024

CM APPL. 41820/2024 (Ex.) in W.P.(C) 10190/2024

CM APPL. 41822/2024 (Ex.) in W.P.(C) 10191/2024

CM APPL. 41824/2024 (Ex.) in W.P.(C) 10192/2024

CM APPL. 41868/2024 (Ex.) in W.P.(C) 10206/2024

Allowed, subject to all just exceptions.

The applications shall stand disposed of.

W.P.(C) 10190/2024, CM APPL. 41819/2024

W.P.(C) 10191/2024, CM APPL. 41821/2024

W.P.(C) 10192/2024, CM APPL. 41823/2024

W.P.(C) 10206/2024, CM APPL. 41867/2024

1. In the aforementioned batch of writ petitions, the petitioners are invoking Article 226 of the Constitution of India seeking to restrain the respondents from demolishing their properties falling in C-7 and 8 Mansarovar Garden, New Delhi and further seeking reliefs that the respondents be restrained from dispossessing them from the subject properties.

2. Learned counsel for DDA is present on advance notice.



3. Learned counsel for the petitioner has alluded to the writ petition bearing No.3709/2019 filed by the same set of petitioners and has taken the Court through the affidavit filed on behalf of DDA. It is pointed out that the said matter is still *sub judice* before this Court and coming up for hearing on 03.10.2024.

4. It is submitted out that in the reply filed by DDA in the aforesaid writ, it has been acknowledged by the DDA that at the behest of the petitioners, some unauthorised encroachment and construction that were done over the *nala*, the DDA has taken appropriate action.

5. Be that as it may, in the aforesaid backdrop it is now submitted that the petitioners, who are the owners of plots of land measuring 200 sq.yds, 267 sq.yds, 333 sq.yds and 800 sq.yds respectively, in the plot no. bearing No.C-7-8, are apprehending threat of dispossession at the hands of the DDA.

6. The learned Standing Counsel for the DDA submits that demolition action has already taken place in respect of the unauthorised construction existing in the subject properties. *Per contra*, learned counsel for the petitioner submits that only part demolition action has been taken in respect of the properties indicated by the petitioner in WP(C) Nos.10190/2024 and 10206/2024.

7. During the course of arguments it is brought out that WP(C) No.8651/2024 titled **Ramesh Kumar Chawla v. DDA** is already sub judice before this Court, in which a restraining order has been passed with regard to the properties bearing C-10 and C-10A in Mansarovar Garden, New Delhi. It is also indicated therein that some demolition action had been taken by DDA. It is reiterated by the learned Standing Counsel for DDA that the land in question has already been



acquired in the year 1964 and the property in question has already been demolished by the DDA, as stated aforesaid.

8. Some photographs were placed on the record evidencing that demolition action has been carried out on 25.07.2024. The photographs be placed on the record for future reference and the same be digitised.

9. Let the present matter be listed with WP(C) No.3709/2019 on 03.10.2024.

10. Registry is also directed to list WP(C) No.8651/2024 on the same date.

11. *Status quo* shall be maintained with regard to the present position of the suit property.

12. The petitioners shall also not carry out any further construction, in the subject properties without the permission of this Court.

DHARMESH SHARMA, J.

JULY 26, 2024/VLD