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

+ **CONT.CAS(C) 978/2019**

VEENA BASSI & ORS

.....Petitioners

Through: Mr. Ashok Kumar with Ms. Arya,
Advocates.

versus

ANSHU PRAKASH , CHIEF SECRETARY

GOVT OF NCT OF DELHI & ORS

.....Respondents

Through: Mr. Sanjay Kumar Pathak, Standing
Counsel, with Mrs. K.K. Kiran Pathak,
Mr. Sunil Kumar Jha and Mr. Mohd
Sueb Akhtar, Advocates for R-5.
Mr. Anuj Chaturvedi, Ms. Richa
Dhawan and Ms. Yashita Jain,
Advocates for DUSIB.
Mr. Tushar Sannu and Mr. Fajallu
Rehman, Advocates for PWD.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

24.03.2026

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1. This hearing has been done through hybrid mode.
2. The present petition under Sections 10/12 of the Contempt of Courts Act, 1971 read with Section 151 of the CPC seeking the following prayers:

“(i) initiate contempt proceedings against the respondents/contemnors for having been committed the contempt of the order dated 23.,05.2011 passed by this Hon'ble High Court in LPA No.543/2009, titled as "Veena Bassi & Ors. Vs. Municipal Corporation of Delhi & Ors." and they may be punished in accordance with law;

(ii) direct the respondents to decide/dispose off the representation of the petitioners (Annexure P-2) for allotment of the alternative accommodations to them as per Scheme of Delhi Government;



(iii) pass such other or further order(s) in favour of the petitioners and against the respondents/contemnors, which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case as well as in the interest of justice.”

3. *Vide* order dated 23.05.2011 in LPA No. 543/2009, the learned Division Bench, passed the following order:

“It is submitted by Mr. Ashok Arya, learned counsel for the appellants that he may be permitted to submit a representation for allotment of an alternative accommodation under the scheme floated by the Government of National Capital Territory of Delhi in February, 2010. Without expressing any opinion on the merits of the entitlement of the appellants, we only permit him to submit a representation for obtaining alternative accommodation under the said scheme within a period of eight weeks from the date of receipt of the copy of the order passed today. The said representation shall be disposed of by the competent authority of GNCTD within a period of twelve weeks therefrom.

With the aforesaid modification in the order of the learned single Judge, the appeal stands disposed of without any order as to costs.

Copy of this order be given dasti to the learned counsel for the parties under signature of the Court Master.”

4. It is pertinent to note that in the aforesaid LPA, Public Works Department was impleaded as respondent no. 3. In the present petition, the petitioners have made the following entities at parties:

“1. MR. ANSHU PRAKASH CHIEF SECRETARY GOVT OF NCT DELHI NEW SECRETARIAT, I.P. ESTATE, NEW DELHI-110002

2. MR. MADHU VERMA COMMISSIONER NORTH DELHI CORPORATION LAND & ESTATE DEPARTMENT SHYANA PRASAD MUKHERJEE CIVIC CENTRE, I.P. ESTATE, NEW DELHI-110002

3. MR. SHURBIR SINGH C.E.O., DUSIB, GNCT OF DELHI PUNARWAS BHAWAN, IP ESTATE NEW DELHI-110002

4. MR. MATHURA PRASAD CHIEF ENGINEER PUBLIC WORKS DEPARTMENT 5th FLOOR, IP ESTATE, NEW



DELHI”

5. A perusal of the record would reflect that on 04.03.2020, a statement was made on behalf of Government of NCT of Delhi, that the authority concerned for the decision on the representation is DUSIB. During the course of the proceedings, DUSIB was also impleaded as party, however, it had come on record to say that it was created only after 2010 and therefore could not have made a decision on the said representation.

6. *Vide* order dated 19.01.2024, the learned Predecessor Bench of this Court after taking into consideration various contentions of the parties, passed the following order:

“2. Having heard learned counsels for the parties present physically in the Court as well as through Video Conferencing, the long and short of the entire discussion is that despite directions passed by this Court in LPA 543/2009 dated 23.05.2011, whereby a liberty was granted to the petitioners to file a representation before the Competent Authority, which indeed was submitted, so as to claim alternative sites for the acquisition and demolition of their shops at Azadpur, near Bus Terminal, Delhi for execution of an underpass related to the ongoing Delhi Metro Rail Project [“DMRC”], no decision has been taken and the poor petitioners are running from pillar to post.

3. It is submitted by learned counsel appearing for the respondent No.3 that DUSIB came into existence in the year 2010, and therefore, it has nothing to do with the present matter. Likewise, learned counsel for the MCD also submits that they have nothing to do with the matter in question and they may be deleted from the array of parties. It is evident that there are multifarious agencies involved and they are passing the buck on one another resulting in complete miscarriage of justice.

4. At the same time, learned counsel for respondent no.3 has pointed out that the adjudication of the claims from the affected parties with regard to allotment of alternative sites on acquisition of their land/properties for the DMRC project has been vested and



dealt with by the Land and Building Department of the Govt. of NCT of Delhi. Learned counsel for respondent no. 3 undertakes to supply the correct address/details of the department to learned counsel for the petitioners.

5. On the said submission, learned proxy counsel appearing for Mr. Anupam Shrivastav, learned Standing Counsel for the respondent No.1/Govt. of NCT of Delhi requests time to seek instructions.

6. On perusal of the representation made by the petitioners, which is Annexure P-2, I am afraid although there is nothing wrong that it is in Hindi language, however, it is not properly addressed to the concerned Competent Authority and lacking relevant details, probably on account of the fact that the petitioners are hailing from an impoverished background, illiterates and have not been given proper legal advice thereby denying effective access to justice.

7. Mr. Ashok Kumar Arya, learned counsel for the petitioners is impressed upon to get a proper representation drafted in English as well as in Hindi, properly typed with details, and same be handed over to Mr. Sanjay Pathak, learned Standing Counsel for Land and Building Department, GNCTD within seven days from today with direction that a proper response be filed within four weeks thereafter by the concerned department.

8. Respondent No.1 is also directed to file its response within four weeks from today, failing which, this Court shall be constrained to issue contempt notice to the Chief Secretary, GNCTD.

9. Since the matter is pending for long, the Court *suo motu* impleads the Land & Building Department, Government of NCT of Delhi, as respondent No.5 in the present matter. Let the Registry reflect defendant No.5 as one of the parties without waiting for amended memo of parties.”

7. Pursuant thereto, learned counsel appearing on behalf of respondent no. 5 (Land and Building) has handed up in Court today an order dated



20.02.2026 passed by PWD, the same is taken on record, wherein it is recorded as under:

“ Please refer to meeting dated 10.02.2026 at 11:00AM held in the chamber of undersigned in which all of you/ your representatives are present.

As per the order of Hon’ble High Court dated 14.10.2009, the structure at T-10 Azadpur Village, G.T. Karnal Road, Delhi is unauthorisedly encroached and MCD directed the petitioners to remove all unauthorised encroachment.

As per order vide no. F.51(95)/99/UD/Vol III/2588 dated 19.02.2010 for modified policy guidelines for relocation / rehabilitation and allotment of 7900 flats to slum and JJ dwellers in the first phase, the scheme is not for commercial property it is for residential property. The structure at T-10 Azadpur village was being used as commercial shop. Hence are not covered under this scheme. Therefore you are not eligible for alternative accommodation under the scheme of 19.02.2010.”

8. It is pointed out that the representation has been decided, the present petition deserves to be disposed of.

9. So far as the decision on the representation is concerned, the petitioners will be at liberty to challenge the same independently of the present petition. However, this Court is of the considered opinion that the said decision has been given after passage of more than 18 years. It is further pertinent to note that during present proceeding as well, the PWD despite being a party in the present petition as well as in the LPA, chose not decide the representation, until, the aforesaid order passed by learned Predecessor Bench on 19.01.2024.

10. In these circumstances, an affidavit by office of respondent no.4 be placed on record, to explain as to why proceedings under the Contempt of Courts Act should not be initiated for the aforesaid clear non-compliance of directions passed by learned Division Bench. Let the same be done before the next date of hearing.



11. Pendency of the present petition will not come in the way of the petitioners to challenge the order dated 20.02.2026 passed by PWD.
12. Re-notify on 24.07.2026.

AMIT SHARMA, J

MARCH 24, 2026/bsr/ah