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

+ **W.P.(C) 12220/2024 & CM APPL. 50855/2024**

RAJENDRA PRASAD

.....Petitioner

Through: Advocate (*appearance not given*).

versus

**MUNICIPAL CORPORATION OF DELHI
AND ORS.**

.....Respondents

Through: Mr. Abhinav Singh and Ms. Prapti Jain, Advocates for MCD.

Mr. Anubhav Gupta, panel counsel for GNCTD with Mr. Siddharth Arora, Advocate.

Ms. Shobhana Takiar, standing counsel for DDA with Mr. Prateek Dhir and Ms. Razia, Advocates for DDA.

Mr. Ajay Vikram Singh and Mr. Aamir Faiyaz, Advocates for DUSIB.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

27.04.2026

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1. The present writ petition has been filed seeking the following reliefs:

A. Issue a writ, order, or direction in the nature of prohibition

restraining the Respondents from demolishing/removing

the JJ clusters in question Cluster D-Block, Okhla

Industrial Area, Phase II part of the list of 675 protected

JJ Bastis of DUSIB;



- B. Issue a writ of certiorari setting aside & quashing the notice dated 27.08.2024 issued by Respondent No.1 for the removal/demolition of households of Petitioner' DUSIB Recognized and Listed JJ Cluster D-Block, Okhla Industrial Area, Phase II after examining its correctness, and calling for records thereof;
- C. Issue a writ of certiorari setting aside & quashing the notice dated 28.08.2024 issued by Respondent No.1 for the removal/demolition of households of Petitioner' DUSIB Recognized and Listed JJ Cluster D-Block, Okhla Industrial Area, Phase II after examining its correctness, and calling for records thereof;
- D. Issue a writ, order, or direction in the nature of mandamus to frame and provide in-situ rehabilitation strictly in accordance with the Delhi Slum and JJ Rehabilitation and Relocation Policy, 2015 of Para 2(a)(iii) of the DUSIB policy of 2015 in respect of Petitioner's JJ Cluster;

2. When the writ petition came up for hearing for the first time before this Court on 2nd September, 2024, it was noted that prayers 'a' to 'c' have become infructuous in view of demolition action that has already been taken place.
3. Accordingly, notice was issued limited to prayer 'd' of the present writ petition.
4. Counsel for the petitioner submits that since the *Jhuggi* of the



petitioner was a part of the notified Jhuggi Jhopdi Cluster, the petitioner is entitled to rehabilitation.

5. *Per contra*, counsel for the respondents have drawn attention of this Court to the two vacation notices dated 28th August, 2024 and 27th August, 2024 in terms of which the *Jhuggis* were on a public road and were removed pursuant to orders passed by this Court in W.P.(C) 15430/2023, titled '**Parminder Chadha v. MCD**', and W.P.(C) 10244/2018, titled '**K.C. Sharma v. South Delhi Municipal Corporation and Ors.**' respectively.

6. There is nothing on record to show that the *Jhuggi* of the petitioner was a part of the notified Jhuggi Jhopdi Cluster and that the petitioner was entitled to rehabilitation.

7. The action taken against the petitioner's *Jhuggi* was in terms of the directions passed by this Court in W.P.(C) 15430/2023 and W.P.(C) 10244/2018 that there was encroachment by the *Jhuggi* dwellers on the public street and back lanes of the property owners.

8. In view thereof, this Court is of the considered opinion that the provision of rehabilitation in accordance with the Delhi Slum and JJ Rehabilitation and Relocation Policy, 2015 and Para (2) (a)(iii), DUSIB Policy, 2015 would not be applicable in the case of the petitioner. Hence, the relief sought in prayer 'd' cannot be granted in favour of the petitioner.

9. Accordingly, the petition is dismissed.

10. Pending application stands disposed of.

AMIT BANSAL, J

APRIL 27, 2026

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