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

+ W.P.(C) 17239/2025

KHUSHNUMA KHAN & ORS.

.....Petitioners

Through: Mr. Pankaj Sinha, Ms. Humaira
Salam and Mr. Sunil Tiwari, Advs.

versus

**UNION OF INDIA (THROUGH ITS SECRETARY MINISTRY OF
HOUSING AND URBAN AFFAIRS & ORS.**Respondents

Through: Mr. Syed Abdul Haseeb, CGSC, Mr.
Tanveer Zaki, Adv. for UOI / L&DO
(through v/c)
Mr. Anuj Chaturvedi, Adv. for
DUSIB (through v/c)

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **03.03.2026**

CM APPL.14197/2026

1. The present application alleges non-compliance with the orders dated 13.11.2025 and 13.01.2026, passed in W.P.(C) 17239/2025, titled as ***Khushnuma Khan & Ors. vs. Union of India Through Its Secretary Ministry Of Housing And Urban Affairs & Ors..***

The aforesaid order dated 13.11.2025 reads as under:

W.P.(C) 17239/2025 and CM APPL.71028/2025

3. The present petition is filed by the petitioners being aggrieved by the Eviction Notice bearing No.LDO/Enf./15-7(8792)/E-9204739/ 2025/125, dated 29.10.2025 and Rehabilitation Notice bearing No.LDO/Enf./15-7(8792)/E-9204739/ 2025/126, dated 29.10.2025, issued by the respondent no.2/ Land and Development Office (L&DO), Ministry of Housing and Urban Affairs, Government of India, directing the petitioners to vacate their

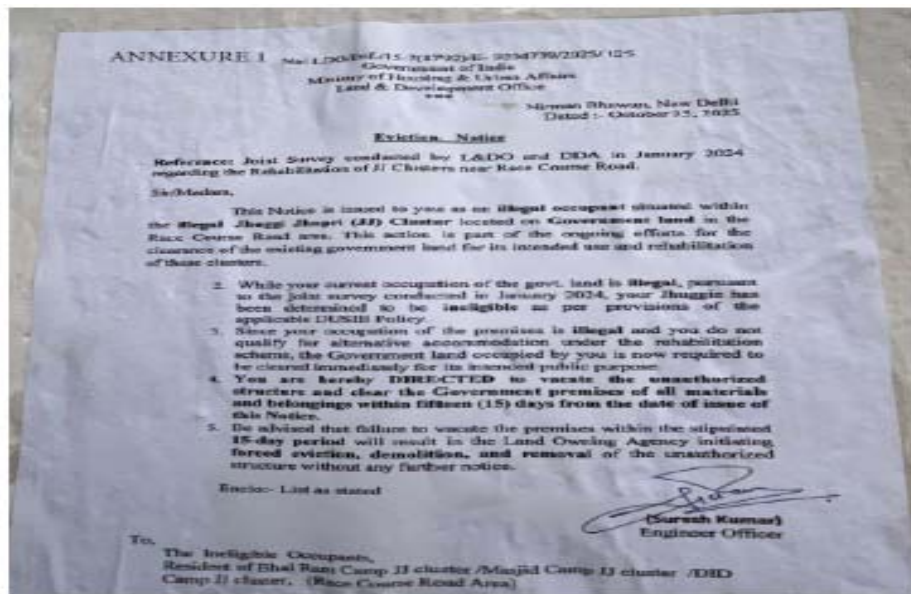


respective dwellings within a period of 15 days.

4. The petitioners claim to be the residents of settlements commonly known as Bhai Ram (BR) Camp, Masjid Camp and DID Camp, situated adjacent to the Delhi Race Club and Jaipur Polo Ground, New Delhi.

5. It is the case of the petitioners that the said settlements have been in existence for several decades and are duly reflected as notified *jhuggi* clusters at serial nos. 191 and 201 in the "Delhi Urban Shelter Improvement Board List of 675 JJ Bastis," issued by the respondent no.3/ DUSIB.

6. The impugned Eviction Notice, pasted in the petitioners' locality reads as under:



7. Learned senior counsel for the petitioners raises a two-fold submission:

(i) That in case the petitioners are to be dislocated, the rehabilitation procedure, as contemplated in the applicable policy must necessarily be adhered to, as a necessary pre-condition.

(ii) That in any event, the respondents are obliged to comply with the procedural safeguards laid down by the Supreme Court in *Re: Directions in the matter of demolition of structures* in W.P.(C) No.295/2022, decided on 13.11.2024. In terms thereof, each occupant is entitled to a specific Show Cause Notice, reasonable time to submit a reply, personal hearing, and a reasoned order prior to eviction.



8. It is submitted that from the tenor of the impugned Eviction Notice pasted in the locality, it is evident that the respondents are seeking to dislocate the petitioners without following the aforesaid mandatory procedure.
9. Issue notice.
10. Learned counsel, as aforesaid, accepts notice on behalf of the respondents. They seek some time to take instructions.
11. Let reply be filed within a period of three weeks. Rejoinder thereto, if any, be filed within one week thereafter.
12. List on 13.01.2026.
13. In the meantime, the petitioners shall not be evicted without adhering to the procedural safeguards set out in *Re: Directions in the matter of demolition of structures*.

NOVEMBER 13, 2025/cl

SACHIN DATTA, J

The order dated 13.01.2026 reads as under:

1. At the request of the learned counsel for the respondents, four weeks' time is granted to file reply. Rejoinder thereto, if any, be filed within two weeks, thereafter.
2. List on 13.05.2026.
3. The interim order dated 13.11.2025, shall remain in force.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 13, 2026
aks/ksr

2. It is noticed that the interim order dated 13.11.2025 in W.P.(C) 17239/2025 provides that the petitioners shall not be evicted without adhering to the procedural safeguards as set out in *Re: directions in the matter of Demolition of Structures*, 2024 SCC OnLine SC 3291.
3. The communication dated 27.02.2026 that has now been issued by DUSIB to the petitioners / applicants reads as under:



DELHI URBAN SHELTER IMPROVEMENT BOARD
Government of National Capital Territory of Delhi
Rehabilitation Building, IP Estate, New Delhi-110002

YPED COPY

DATE: 27-02-2026

NOTICE

Residents of J.J. Basti Masjid Polo Ground, Race Course Area, New Delhi are hereby informed that, in order to obtain the allotment letter of the flat allotted in lieu of their jhuggi, they are required to present on 28.02.2026 from 11:00 AM to 4:00 PM at the office of the Delhi Urban Shelter Improvement Board (DUSIB) at: J-Block, Vikas Kuteer, IP Estate, ITO, New Delhi-110002.

Beneficiaries shall bring 06 (SIX) copies of their Family Photograph (PAN Card size – 8.56 cm × 5.398 cm), along with their Aadhaar Card and other original documents with photocopies, and shall appear jointly (husband and wife) at this office on the above-mentioned date and time.

Beneficiaries are further informed that possession of the allotted flat may be obtained from the concerned Executive Engineer, C-3, DUSIB, at the Junior Engineer Site Office, Savda Ghevra, Phase-III.

(Signed)

Assistant Director (Rehabilitation)

Copy to:

Dy. L&DO, Sankalp Bhawan, New Delhi

Ex. Engineer-C-3, DUSIB

Office copy

4. It is noticed that the aforesaid communication only informs the petitioners / applicants that they can obtain allotment letters in respect of the flats allotted to them in lieu of the jhuggis being currently occupied by them. The aforesaid communication further offers the petitioners / applicants to take possession of the alternative accommodations.

5. *Prima facie*, if alternative accommodation is being offered to the petitioners / applicants in accordance with the extant DUSIB policy in this regard, the same cannot be said to be in violation of due process/ directions



contained in the aforesaid orders.

6. Be that as it may, at this stage, learned counsel for the petitioners / applicants points out that *vide* notice dated 19.02.2026 (Annexure-A5 to the present application), the petitioners have been required to vacate their present premises by 06.03.2026. It is submitted that grave prejudice will be caused as a result of the petitioners being asked to vacate their current premises at such a short notice, without verifying whether basic civic amenities are available at the alternative accommodation offered.

7. Considering the circumstances, and in line with the interim directions passed in W.P.(C) 17239/2025, the time period afforded (*vide* notice dated 19.02.2026) to the petitioners / applicants to vacate their present premises, is extended till 11.03.2026.

8. Let the matter be listed before the Roster Bench on 10.03.2026 for further consideration. The petitioner's pleas, inter-alia, as to whether it is untenable for the respondents to require the petitioners to vacate the premises at all, will be considered by the roster bench.

9. Copy of order be given *dasti* under the signatures of Court Master.

SACHIN DATTA, J

MARCH 3, 2026/cl