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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 Garima, Mr
Sunil Tiwari, Advocates.

versus

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

.....Respondents

Through: Mr. Chetan Sharma, ASG with Mr.
Syed Abdul Haseeb, Mr. Amit Gupta,
Mr. Shubham Sharma, Mr. Yash
Wardhan Sharma, Mr. Naman,
Advocates for UOI.
Mr. Shrey Sharawat (SPC) alongwith
Mr. Himanshu Sihag & Ms. Naba
Khan, Advocates for R-1 and 2.
Ms. Meenakshi, Advocate for
DUSIB.

91

+ **W.P.(C) 2943/2026 and CM APPL. 14195/2026**

RAKESH BANSAL AND ORS

.....Petitioners

Through: Mr. Sandeep Sharma, Senior
Advocate with Mr. Javed Ahmad, Ms.
Aakriti Aditya, Ms. Kavya Dauk, Mr.
Deepanshu Tyagi, Advocates.

versus

UNION OF INDIA AND ORS

.....Respondents



Through: Mr. Chetan Sharma, ASG with Mr. Syed Abdul Haseeb, Mr. Amit Gupta, Mr. Shubham Sharma, Mr. Yash Wardhan Sharma, Mr. Naman, Advocates for UOI.
Mr. Venkat Mani Tripathi (Government Pleader) for UOI.
Mr. Piyush Gupta (CGSC) with Mr. Venkat Mani Tripathi (G.P.), Advocates for UOI.
Mr. Anuj Chaturvedi, Ms. Richa Dhawan, Ms. Yashita Jain, Advocates for R-3/ DUSIB.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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16.03.2026

CM APPL. 14197/2026 and CM APPL. 14556/2026 in W.P.(C) 17239/2025

W.P.(C) 2943/2026 and CM APPL. 14195/2026

1. Mr. Sandeep Sharma, learned senior counsel and Mr Pankaj Sinha, learned counsel who appear for the petitioners in the respective petitions have made following broad submissions:

- (i) The rehabilitation of the petitioners is against the Government Policy.
- (ii) There is no reason as to why the petitioners are being shifted for more than five (5) Kilo Meters away from their present place of stay.
- (iii) There is no urgency shown by the respondents when livelihood of the petitioners is in great danger. They submit that the



petitioners are working as drivers or domestic workers in the vicinity of Lutyens Zone. If they are shifted beyond a reasonable distance, the same would definitely affect their right of livelihood.

- (iv) The education and health facilities are not available at the proposed site of shifting. The same would lead to drop out of the children of the petitioners.
- (v) The rights to rehabilitation is not a charity, but the same is right of the petitioners under the Constitution of India.
- (vi) There is no sewage treatment at the proposed site of shifting.
- (vii) The lease deed in favour of the Race Course has expired and the Government intends to take over the possession of the said land, it is, therefore, submitted that the place where the Race Course eventually will be located be brought to the notice of this Court.

2. Mr. Chetan Sharma, learned Additional Solicitor General for respondent-Union of India, submits that the Court *vide* order dated 03.03.2026, in terms of paragraph no. 5, has already noted that there is no reason to interdict in the rehabilitation, as the decision of the respondents is *prima facie* in accordance with law. He emphasises that geographically as well as strategically, the land in question, where the unauthorized occupation is made, is highly sensitive as it abuts to Indian Air Force Station. He submits that the proposed site of shifting is fully habitable and arrangements have been made. Even the photographs of the said site has been presented.

3. Learned counsel for respondent-Delhi Urban Shelter Improvement



Board ('**DUSIB**') submits that the reply has been filed in the W.P.(C) 2943/2026, and action is strictly in accordance with law.

4. Learned counsel for respondent nos. 1 and 2 seems to have filed the counter-affidavit in W.P.(C) 17239/2025. Let a copy of the same be supplied to learned counsel for the petitioners in both the petitions. Let the same be also placed in the digital record of the Court before the next date of hearing.

5. List on 18.03.2026 for further hearing.

PURUSHAINDR KUMAR KAURAV, J

MARCH 16, 2026

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