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

+ W.P.(C) 17239/2025 & CM APPL. 14197/2026 & CM APPL.
14556/2026

KHUSHNUMA KHAN & ORS.Petitioners

Through: Mr Pankaj Sinha & Mr. Sunil Tiwari,
Advocates.

versus

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

Through: Mr Anuj Chaturvedi, Ms. Yashita Jain
with Mr. PK Jha, Principal Director,
Mr. Pranav Siroha, LA for DUSIB
Mr. Chetan Sharma, ASG with Mr.
Amit Gupta, Mr Syed Abdul Haseeb,
Ms. Shrey Sharawat and Mr.
Himanshu Sihag, Mr. Yash Wardhan
Sharma, Mr. Shubham Sharma, Mr.
Naman Advocates

AND

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

RAKESH BANSAL AND ORSPetitioners

Through: Mr. Sandeep Sharma, senior
Advocate, Mr. Javed Ahmad, Ms.
Aakriti Aditya, Mr. Deepanshu
Tyagi, Advocates.

versus

UNION OF INDIA AND ORSRespondents

Through: Mr. Piyush Gupta CGSC, Mr. Atishay
Jain, Mr. Vishesh Goel, Mr Venkat
Mani Tripathi, Advocates.

CORAM:



HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

24.03.2026

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1. Mr. Sandeep Sharma, learned senior counsel, has made following three additional submissions:

- I. The Government has decided to evict the Race Course as well, and till the Race Course is shifted to another place, the action of shifting of the petitioners be withheld.
- II. The photographs placed on record by the respondents do not depict the correct picture. The petitioners have placed on record the photographs of the proposed rehabilitation site which clearly indicates that houses therein are in dilapidated condition.
- III. There is no justification for shifting of the petitioners beyond 5 kilometres from their present place of habitation.

2. Mr. Pankaj Sinha, learned counsel appearing on behalf of the petitioners in W.P. (C) 2943/2026, reiterates his earlier submissions. He, further submits that the land in question is owned by the Army Headquarters and the Air Force Headquarters, and no material has been placed on record to indicate that the said land-owning agencies have sought eviction of the petitioners as per the Draft Protocol for Removal of Jhuggis and JJ Bastis in Delhi (Draft Protocol). Therefore, at the instance of L&DO or the DUSIB, the proposed resettlement cannot take place.

3. He also submits that the draw of lots was not carried out in the presence of representatives of both, the land-owning agencies, as well as, the eligible JJ dwellers as required under the Draft Protocol. He further points



out that there are enough alternate sites available within a radius of 5 kilometres from the current camps. Besides these submissions, the petitioners have no other submissions to make.

4. During the course of hearing, the Court finds that the respondents will have to justify the shifting of the petitioners beyond 5 kilometres and also to clarify the submissions made during the course of hearing by Mr. Sandeep Sharma and Mr. Pankaj Sinha. The respondents are, therefore, granted liberty to file specific affidavit, clarifying the said position within two working days with an advance copy thereof being supplied to the petitioners through counsel.

5. List on 30.03.2026.

6. It be noted that beyond the affidavits, no additional submissions shall be heard from any of the parties.

7. Interim order to continue.

PURUSHAINDR KUMAR KAURAV, J

MARCH 24, 2026

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