



\$~103 and 110

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

+ W.P.(C) 17879/2025

(103) SHAMINA BEGUM & ANR.

.....Petitioners

Through: Mr. KamranMalik, Mohd. Saquib and
Mohd. Ashraf H. Farooqi, Advs.

versus

HEAD WORKS DIVISION & ANR.

.....Respondents

Through: Mr. Lalitaksh Joshi and Mr. Sameer
Gupta, Advs., GNCTD.
Ms. Snehlata S. Surana, CGSC and
Mr. Pradyuman Singh, Adv. for R-2
(through v/c)

+ W.P.(C) 19438/2025

(110) MD MOBIN AND ORS.

.....Petitioners

Through: Mr. KamranMalik, Mohd. Saquib and
Mohd. Ashraf H. Farooqi, Advs.

versus

HEAD WORKS DIVISION AND ANR.

.....Respondents

Through: Mr. Lalitaksh Joshi and Mr. Sameer
Gupta, Advs., GNCTD.
Mr. Suhail Mali, Sr. Panel Counsel
and Mr. ShaunakDutta, Adv. for R-2
(through v/c)

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **22.12.2025**

CM APPL.81058/2025 (Exemption) in W.P.(C) 19438/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

**CM APPL.80159/2025(delay of 70 days in re-filing the present writ
petition) in W.P.(C) 19438/2025**

3. For the reasons stated in the application, the same is allowed and the



delay of 70 days in re-filing the present petition stands condoned.

4. The application stands disposed of.

W.P.(C) 17879/2025 and CM APPL.73904/2025

W.P.(C) 19438/2025 and CM APPL.81057/2025

5. At the outset, at the request of the petitioners, the State of Uttar Pradesh, through its Irrigation Department, is impleaded as respondent no.3 in the present petitions.

6. Let an amended memo of parties be filed by the petitioners within a period of one week.

7. The present petitions have been filed by the petitioners assailing a public notice dated 09.05.2025, issued by the District Magistrate, Pirtham, Head Work Section, Agra Canal, Okhla, whereby certain demolition action in the area of the petitioners' residence, is proposed. The said public notice reads as under:

सार्वजनिक -सूचना

सर्व साधारण को सूचित किया जाता है कि ग्राम ओखला (जौहरी फार्म) के खसरा सँख्या-१९२ मे सिंचाई विभाग उत्तर प्रदेश सरकार की भूमि में अवैध रूप से कब्जा कर जुग्गी , झोपडी , टीनशेड व पक्के माकन इत्यादि को १० दिवस के अंदर हटा लें। अनथा की स्थिति मे किसी भी हानि / छति के लिए आप सवयं उत्तरदायी होंगे।

दिनांक ०९/०५/२५/

ज़िलेदार पिरथम

हेड वर्क खंड आगरा नहर ओखला

Public Notice



8. It is pointed out that the petitioners have been in peaceful occupation of their respective properties for a considerable period of time, and that the respondent's claim pertains only to Khasra No.192, Village Okhla, New Delhi.

9. It is submitted that the petitioners apprehend that in the guise of the public notice, the petitioners' properties, which do not encroach upon public land may be brought within the sweep of the proposed demolition action.

10. Learned counsel for the petitioners, further pointed out the protective orders passed by this Court in certain connected writ petitions.

11. Issue notice.

12. Learned counsel, as aforesaid, accepts notice on behalf of the respondents.

13. Let notice be issued to the remaining respondents, on necessary steps being taken by the petitioner, through all permissible modes, including electronically.

14. Let the respondent no.3 (State of UP) be also served through the said respondent, Resident Commissioner, Delhi.

15. Let reply be filed within a period of four weeks. Rejoinder thereto, if any, be filed before the next date of hearing.

16. In the meantime, in line with orders passed in the connected matters, it is directed that no precipitative action shall be taken against the petitioners without compliance with the procedural requirements and safeguards set out by the Supreme Court in ***Re: Directions in the matter of demolition of structures*** 2024 SCC OnLine SC 3291.

17. List on 25.03.2026.

DECEMBER 22, 2025/cl

SACHIN DATTA, J