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

(81)

+ **CONT.CAS(C) 67/2016 & CM APPL. 69232/2024**

FRATERNITY AGAINST CORRUPTION (REG TRUST)

.....Petitioner
Through: Mr. Medhanshu Tripathi, Mr. Tushar Tokas, Ms. Arvinder Kaur, Mr. Haridwar Singh and Ms. Aditi Singh, Advocates.

versus

ARUN GOEL & ORS

.....Respondents
Through: Ms. Shobhana Takiar, Standing Counsel with Mr. Shivam Takiar, Mr. Prateek Dhir and Mr. Kuljeet Singh, Advocates for DDA.
Mr. Sanjeev Sabharwal, Standing Counsel for MCD.
S.I. Sandeep Yadav, PS V.K. North.

(82)

+ **W.P.(C) 5926/2013, CM APPL. 13070/2013, CRL.M.A. 17907/2014, CRL.M.A. 17911/2014, CM APPL. 18677/2014, CRL.M.A. 575/2015, CRL.M.A. 576/2015, CM APPL. 35451/2016, CM APPL. 35454/2016, CM APPL. 38849/2023, CM APPL. 64079/2023, CM APPL. 64080/2023, CM APPL. 64305/2023, CM APPL. 64306/2023 & CM APPL. 69160/2024**

FRATERNITY AGAINST CORRUPTION (REG. TRUST)

.....Petitioner
Through: Mr. Medhanshu Tripathi, Mr. Tushar Tokas, Ms. Arvinder Kaur, Mr. Haridwar Singh and Ms. Aditi Singh, Advocates.

versus

DELHI DEVELOPMENT AUTHORITY & ORS.Respondents

Through: Ms. Shobhana Takiar, Standing Counsel with Mr. Shivam Takiar, Mr. Prateek Dhir



and Mr. Kuljeet Singh, Advocates for DDA.

Mr. Vikrant N. Goyal, Mr. Arun Kumar Yadav, Mr. Kunal Dixit, Mr. Harsh Kumar Singh and Mr. Piyush Wadhwa, Advocates for Delhi Police.

Ms. Sangeeta Bharti, Standing Counsel with Ms. Anju Shree Nair, Advocate for DJB.

Mr. Sanjeev Sabharwal, Standing Counsel for MCD.

Ms. Kirti Garg, Advocate for BSES.

Mr. Aadil Singh Boparai, Ms. Surbhi Sachwani, Mr. Abhishek Dubey, Ms. Prakruthi Jain, Advocates for Intervener.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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10.10.2025

1. This Public Interest Litigation Petition concerns itself to certain alleged illegal constructions/encroachments on properties which are (i) 111/9 admeasuring 2600 sq. yards, Aruna Asaf Ali Road, Kishan Garh, Vasant Kunj; (ii) 76/9 Plot no.3 admeasuring 1400 sq. yards, Aruna Asaf Ali Road, Kishan Garh, Vasant Kunt and (iii) property bearing Khasra no.1222 (old no. 2797/2026/1675) admeasuring 3400 sq. yards at Aruna Asaf Ali Road, Kishan Garh, Vasant Kunj, New Delhi. The allegation in the writ petition is that the land over which these properties are situate belong to the Government of India which has been transferred to Delhi Development Authority (DDA), however, DDA has not taken appropriate steps to protect the said properties as a result of which, illegal constructions and encroachments have come up.
2. This Court, taking serious view of the matter, successively passed two orders, one on 06.05.2015 and the other on 28.10.2015, directing the DDA and the



Municipal Corporation of Delhi (MCD) to take appropriate measures for removal of constructions/unauthorized occupation. It was informed to the Court by learned counsel representing the DDA that some of the properties are covered under some litigation.

3. In the aforesaid view of the matter and also taking into consideration that this petition is pending since the year 2013, we direct the DDA as also the MCD to file the current status report in respect of these properties, which shall include the nature and extent of encroachment/illegal construction, which exists as on today; the action taken by these authorities in past for removal of illegal constructions/encroachments and the details of the litigation and their stages, which are said to be pending before various Courts. The said affidavit shall be filed within four weeks after serving a copy thereof upon the learned counsel for the petitioner. The petitioner may file response to such status report by the next date of listing.

4. Mr. N. Prabhakar, learned counsel representing one of the interveners in the petition, states that an area of 1050 sq. mtrs. out of property bearing no.111/9 has been transferred by the Government of India in his favour. Mr. Aadil Singh Boparai, learned counsel representing another intervener has stated that in the year 2003, 400 sq. yards area of the land parcel bearing no.76/9, plot no.3, which has a total area of 1400 sq. yards, was transferred through General Power of Attorney by the petitioner to the intervener and, subsequently, the said intervener has required rights under PM UDAY Yojna so far as the flats constructed from the entire 1400 sq. yards are concerned.

5. We thus require, the DDA as also the MCD to narrate their stand in respect of these two plots as well while filing the affidavits under this order. We also direct that the affidavits to be filed by DDA as also the MCD under this order shall also be served upon the interveners.

6. List on 21.11.2025. Matter to be placed, 'High on Board'.



CM APPL. 35452/2016 (Impleadment) in W.P.(C) 5926//2013

7. Having heard the learned counsel for the parties and gone through the averments made in the application, we dispose of the application by directing that the applicants shall be heard whenever this matter is taken up without any formal impleadment.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

OCTOBER 10, 2025

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