



\$~40

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

+ W.P.(C) 9342/2018

UDAY RAJ AND ORS.

.....Petitioners

Through: Mr. Anuj Kapoor and Mr. Shivom Sethi, Advocates.

versus

GOVT. OF NCT OF DELHI AND ORS.

.....Respondents

Through: Ms. Harshita Nathrani, Advocate for Mr. Sameer Vashisht, Standing Counsel (Civil) for GNCTD.
Ms. Prabhsahay Kaur, Standing Counsel with Mr. Bir Inder Singh, Advocate for R-3/DDA.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

18.02.2025

%

1. Learned counsel for the respondent no. 3/DDA submits that except for the appellant's challenge to Section 2(g) of the Delhi Urban Shelter Improvement Board Act, 2010 ('DUSIB'), the other claims sought by the petitioners already stand rejected by a Co-ordinate Bench of this Court vide its decision dated 21.02.2023 in LPA No. 71/2023. She further submits that the rationale behind enactment of Section 2(g) of DUSIB Act, is to ensure that only those *jhuggi* bearers should be entitled to seek alternative accommodation where it is found that they form a part of a cluster of at least 50 *jhuggies* and that too before the cut off date prescribed as per the policy.
2. Learned counsel for the appellant, however, seeks to place reliance on the decision of a learned Single Judge in *Samar Pal and Anr. vs. Union of*



India & Anr., (2022) SCC OnLine Del 1875, to contend that the prayer of even five isolated *jhuggi* bearers for providing alternative accommodation has been allowed by this Court.

3. Learned counsel for the respondent no. 3 prays for time to examine the said decision and make submissions.
4. List on 10.07.2025.

REKHA PALLI, J

SAURABH BANERJEE, J

FEBRUARY 18, 2025/uk