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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
# **CNR No. DLHC010228652026**  
+ **W.P.(C) 7066/2026&CM APPL. 34609/2026**  
**SAHIL VIKLANG SAHAYTARTHA SAMITI** .....Petitioner

Through: Mr T. Singh Dev Sr Adv, Mr  
Mansimran Singh, Ms Manpreet Kaur, Ms  
Vishakha Ahujha, Ms Ritu Tiwari, Mr Neeraj  
Tomar, Advs.

versus

**DELHI DEVELOPMENT AUTHORITY** .....Respondent  
Through: Ms. Avshreya Pratap Singh Rudy,  
Adv. (CGSC) Ms. Usha Jamnal, Adv. Ms. Nyasa  
Sharma, Adv. Mr. Siddhant Nagar, Adv Mr.  
Abhinav Mall, Adv for UOI  
Ms Manika Tripathy SC, Mr Aman Kumar, Adv.  
Ms. Asmita Singh Advocate  
Mr. Sameer Vashisht, SC

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# **CNR No. DLHC010288402026**  
+ **W.P.(C) 9031/2026&CM APPL. 52122/2026**  
**NAVEEN RAJPUT & ANR.** .....Petitioners

Through: Mr. Rajat Wadhwa, Mr. Ashish Batra,  
Mrs. Pooja Batra, Mr. Abeer Shandilya, Mr. Rajat  
Shukla, Mr. Devansh Khatter, Advs.

versus

**DELHI DEVELOPMENT AUTHORITY** .....Respondent  
Through: Ms. Avshreya Pratap Singh Rudy,  
Adv. (CGSC) Ms. Usha Jamnal, Adv. Ms. Nyasa  
Sharma, Adv. Mr. Siddhant Nagar, Adv Mr.  
Abhinav Mall, Adv for UOI  
Ms Manika Tripathy SC, Mr Aman Kumar Adv  
Mr. Sameer Vashisht, SC

**CORAM:**  
**HON'BLE MR. JUSTICE JASMEET SINGH**

**ORDER**  
**17.08.2026**

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1. These are writ petitions filed under Article 226 of the Constitution of India seeking the following respective prayers:-

**“W.P.(C) 7066/2026**

*“(i) Issue a writ of certiorari or mandamus or any other appropriate writ, direction or order setting aside/quashing letter bearing no. CE (Dwk) F.26(28)/Function/2026/DDA/192 dated 09.04.2026 issued by the Respondent/DDA;*

*(ii) Issue a writ of Mandamus or any other appropriate writ, direction or order for directing the Respondent/DDA to confirm the booking of the District Park, at B-Block, Janakpuri for religious Janamashtami Mahotsav in favour of the Petitioner from 31.07.2026 to 12.09.2026 in terms of letter dated 09.04.2026 issued by the Petitioners.”*

**W.P.(C) 9031/2026**

*“A) Issue a writ of Mandamus or any other appropriate writ, direction or order setting aside/quashing the decision vide letter no. CE (Dwk) F.26(28)/Misc/2026/DDA/283 dated 22.05.2026 issued by the Respondent/DDA; and*

*B) Issue a writ in the nature of Mandamus or any other appropriate writ, direction or order for directing the Respondent to confirm the booking of the DDA Dusshera Ground, B-Block, Janakpuri, New Delhi w.e.f 10.09.2026 to 21.09.2026 for organizing and celebrating Sai*



*Sandhya on 19.09.2026 in favour of Petitioners in terms of letter dated 14.05.2026 issued by the Petitioners;...”*

2. The Court has requested the assistance of Mr. Vashisht, standing counsel for Government of National Capital Territory of Delhi, as well as, Ms. Rudy, learned CGSC for the central government and the order is passed in their presence.
3. The petitioner in W.P.(C) 7066/2026 is seeking permission to book 10,000 sq. mtrs. of district park situated at B-Block, Janakpuri, Delhi, for celebration of Janmashtmi Mahotsav from 31.07.2026 to 12.09.2026.
4. The petitioners in W.P.(C) 9031/2026 are also seeking permission to book the same 10,000 sq. mtrs. area for organising Sai Sandhya from 10.09.2026 to 21.09.2026.
5. The case of the petitioners is based on the fact that the district park at B-Block, Janakpuri, Delhi, is a district multipurpose ground and is entitled to be used as recreational multipurpose ground.
6. It is further stated that the ground across this district park at Janakpuri is admeasuring about 98,140 sq. mtrs. which is entirely being used for recreational activities by the residents of the vicinity in the form of walking, exercising, playing games, etc. No part of the district park is used for any other religious, cultural or social activity as its use is confined to physical/sports activities like walking, jogging and similar activities of the said nature.
7. Learned senior counsel and counsel for the petitioners rely upon the judgement of the Hon'ble Division Bench in LPA No. 637/2023 dated 05.10.2023, and the relevant paragraphs of the same read as under:-



*“21. Chapter 3A of the DD Act 1957, provides for the procedure to be followed for Modifications to the Master Plan and the Zonal Development Plan. Section 11A(1) enables the Authority to make any modifications to the Master Plan or the Zonal Development Plan which in its opinion, does not affect important alterations in the character of the plan and which do not relate to the extent of land use or the standards of population density. Central Government is similarly empowered under Section 11A(2) to make any such modifications to the Master Plan or Zonal Development Plan where such modifications are of the nature specified in sub-section (1) or otherwise. The Procedure to be followed by the Central Government is provided in the subsequent sub sections from Sub-section 3 to Sub-section 7. These provisions laying down the procedure for preparing, amending and modifying the Master Plan or the Zonal Development Plan are complemented by DD Rules, 1959.*

*22. The DD Act, 1957 therefore, provides for the ten year development Master plan for dividing Delhi into various zones and Master Plan provides the use to which the different zones can be put. There are therefore, two kinds of demarcations; one is of defining the zones and the other is the use to which the defined zones can be put.*

*23. The MPD-2021 in its Clause 4.0 of Chapter 17*



*Development Code, designates the Use Zones into nine categories like residential, commercial, industrial, recreational, transportation, utility, Government, Public and semi-public facilities and green belt/ and water body. The land use zone “Recreational” is further divided into three sub-categories namely:*

*P-1 Regional Park,*

*P-2 City Park, District Park and Community Park and*

*P-3 Historical Monuments.*

*24. The “District Park” is defined in Clause 3.2.2 Hierarchy of Urban Development of Chapter 3. Entry 4 of Table 3.3. provides at Sr. 21 that the District Park shall have a total area of 2,90,000 Sq. Mtrs. In this District Park, the area of 2,50,000 Sq. Mtrs. shall be used as a park while 40,000 Sq. Mtrs. can be used for Multipurpose Ground/ park. Chapter 9 which deals with “Environment”, in its Table 9.4 defines “Multipurpose Grounds”. It observes that “Experience shows that common parks are fouled if used for marriages/ public functions etc. Therefore, a special category is proposed to take care of the same at three levels in the following manner.” The three categories enumerated therein are: Multipurpose Grounds, District Multipurpose Grounds and Community Multipurpose Grounds. Further, Table 9.4 further defines “Permission of Use Premises in sub-use Zones” wherein, Entry 4 provides that District*



*Parks may be permitted to be used for Clean Park, Recreational Park, National Memorial, Open Air Food Court, Children Park, Orchard Plant Nursery, Area for water harvesting, Archaeological Park, Specialized Park, Amusement Park, Children Traffic Park, Sports activity, play ground, amenity structure, Restaurant in District Park having an area above 25 hectare, is also permitted subject to the requirements stated therein. Entry 6 provides Multipurpose Grounds may be used for public meeting ground/ public address podium/ social function/ soft drink and snacks stalls etc.*

*25. The various provisions of the DD Act, 1957 r/w. Rules 1958 and MPD-2021 as mentioned above, make it evident that Delhi is defined into various zones like residential, commercial etc. where one of the zone defined is that of the “Recreational Park” which includes setting up of City Park, District Park and Community Parks. It further defines that District Park should have an area of 2,90,000 Sq. Mtrs., out of which 2,50,000sq.Mtrs. shall be used singularly as a Park, while area of 40,000 Sq. Mtrs. may be used as Multipurpose Ground. In the Multipurpose Ground various activities like public functions etc. may be permitted to be carried out. Therefore, MPD-2021 has been finalized and notified by the Central Government in exercise of the powers by invoking Section 11A(2) of the DD Act, 1957 which is done after obtaining the prior*



*approval of Ministry of Urban Development. If the zones are intended to be used in accordance with the provisions of MPD-2021, the permissions shall also be governed by the procedures as provided in Chapter 17 of the MPD-2021.*

*. . . .*

*28. These submissions on behalf of the respondent No.1 do not hold any merit. As discussed above, it is specifically provided in the MPD2021 itself that 40,000 Sq. Mtres area out of 2,90,000 Sq. Mtrs., (which should be the area of District Park) can be used for Multipurpose Ground. This aspect also finds mention in the Minutes of the Technical Committee. It was noted that the “Landscape plan of Green area opposite Musical Fountain, Janakpuri, Dussehra Park” was prepared by the Landscape Wing, DDA and approved by EM, DDA vide file No.PA/Dir (LS)/2002/393 dated 10.09.2002. As per this Landscape Plan, 2.62 Ha has been utilized for two function sites (Function Site No.1 – 0.62 ha and Function Site No.2 – 0.6 ha). The Landscape Plan of Green Delhi opposite Musical Fountain, Janakpuri Dussehra Park prepared by Landscape Wing, DDA shows that as per MPD-2021 the total area of the scheme is shown as 2.62 hectares (6.47 acres). Even though as per the Order issued by the Director (Horticulture) vide letter F.No.DHNW (Misc.) Hort. NW/2018 dated 20.11.2018 total area is reflected as*



*10 acres when in fact the area of this District Park shows only 2.62 hectares i.e. 6.47 acres. This area is shown in the Layout Plan of District Park as approved by MPD-2021, as a multipurpose ground.*

*29. Since the MPD-21 which is duly notified with due approval of the Central Government, Chapter 17 Sub-clause 8(2) of MPD-2021 becomes applicable which provides for special permission of Use Premises in Use Zones from the Authority and no additional permission of Central Government is required.*

*30. It was not disputed that this plot of land is lying barren and has no grass and has a few trees around the periphery, apparently since it has been intended to be used as a Multipurpose Ground and has always been so used. It has further not been denied that right in front of this park across the road, is a much bigger District Park which is being used exclusively as a District Park and no function of any kind are being permitted to be held in the said District Park. Prima facie, it appears that while the major portion of the park is being used as District Park, a small portion of that area is being used a Multipurpose Ground, as is reflected in MPD-2021. The entire confusion has arisen because this part of ground is being considered as a District Park which appears to be distinct and exists opposite this Multipurpose Ground. However, without going into this controversy and also considering that the*



*matter is pending before the learned Single Judge to be considered on merits, no final expression on merits is expressed.*

*31. Admittedly, Shri RamLeela has been permitted to be held, without creating any equities or precedent, by way of Interim Orders by Division Bench in 2018 as well as 2019 and by the learned Single Judge in the year 2022, because of the peculiar circumstances, as the appellant has been conducting Ramleela on the same ground for the last about 30 years.*

*32. Considering that the similar situation prevails even today and there is no change in the circumstances since the previous Orders made in this regard, the permission is granted to the appellants to host Dussehra/ Ramleela celebrations on this ground for this current year i.e. 2023 from the date of this Order till 30.10.2023. It is further directed that the Dussehra Mela shall be held in accordance with all the norms applicable as well as by taking all the precautions including safety, traffic, fire arrangement, etc. The appellants shall ensure that no damage or harm is caused to the green cover/ trees already existing in the ground. A concern has been expressed that despite repeated directions of this Court this area continues to be barren with a few trees planted around it. This Order does not in any way vary the directions given by the learned Single Judge in the*



*impugned Order dated 18.08.2023 to the DDA/ Dy. Conservative Forests to plant trees in the part and to take steps for its beautification for the welfare of the residents of the colony.”*

8. From a perusal of the aforesaid paragraphs, it can be seen that the Hon'ble Division Bench was of the view that the multipurpose recreational ground admeasuring 40,000 sq. mtrs. should be permitted for cultural use as the same was a part of 2,90,000 sq. mtrs. of the district park.
9. The Hon'ble Division Bench was of the view that even if an area of 40,000 sq. mtrs. is carved out for multipurpose use, the district park would have about 2,50,000 sq. mtrs. of area purely as a green area for the benefit of the residents of Janakpuri, Delhi.
10. It is on this premise that the permissions were granted for holding the religious and cultural functions.
11. Ms. Tripathi, learned standing counsel for the respondent/DDA states that the number of parks in the close vicinity of the B-Block, Janakpuri, are having a total area of about 255932.00 sq. mtrs. as stated in paragraph No. 5 of the counter affidavit of the respondent/DDA filed in W.P.(C) 7066/2026.
12. However, I am of the view that the judgment of the Hon'ble Division Bench meant the district park at B Block, Janakpuri, and not the parks in the vicinity.
13. In this view of the matter, a careful analysis of the arguments of respondent/DDA clearly shows that the area of district park is about 98,140 sq. mtrs., which is substantially smaller than the 2,50,000 sq.



mtrs. as envisaged under the Master Plan Delhi-2021 (**“MPD-2021”**).

14. In this view of the matter, the allotting of the entire multipurpose recreational ground admeasuring about 40,000 sq. mtrs. for social and cultural activities would be clearly violative of the MPD-2021.
15. However, since such permissions have regularly been granted in the past, I am inclined to allow the request in order to balance out the need of the residents’ to have appropriately sized green area with the need to facilitate the performance of cultural and religious activities (which have been permitted by this Court time and again). Accordingly, an area of 10,000 sq. mtrs. shall be carved out in the multipurpose recreational ground situated at B-Block, Janakpuri, Delhi, at one side.
16. The respondent/DDA shall, for the time being, carry out temporary demarcation of 10,000 sq. mtrs. area and thereafter divide and demarcate the said area by planting trees.
17. The balance area admeasuring 30,000 sq. mtrs. of the multipurpose recreational ground at B-Block, Janakpuri, Delhi, shall form part of the green area and shall add to the already existed area of 98,140 sq. mtrs. of the district park to gradually move towards the figure of 250,000 sq. mtrs. as envisaged in MPD-2021.
18. In this view of the matter, the following directions are issued:
  - i. The parties interested in using this 10,000 sq. mtrs. for social and cultural activity shall apply for permission to the office of the SE (P&HQ), Dwarka in writing indicating the purpose and the relevant dates.
  - ii. Along with the application, an affidavit by senior member of



the concerned parties shall also be filed undertaking to clear the area after conclusion of the function/activity and before handing over the area to the respondent/DDA.

- iii. The respondent/DDA shall depute a senior officer to inspect the area and record his/her satisfaction regarding compliance of the aforesaid undertaking.
- iv. The photographs of the site shall be taken before and after the function and shall be submitted to the designated senior officer of the respondent/DDA.
- v. Additionally, I am of the view that holding of these functions cause severe traffic congestions and snarls. Accordingly, the party organizing the function shall depute adequate number of personnel in consultation with Delhi Traffic Police to ensure that there is no harassment to the commuters on the road and free flow of traffic is ensured along with proper parking facilities. The ACP, Traffic shall ensure compliance of the same.
- vi. The permission shall be granted for appropriate number days' to ensure that the 30,000 sq. mtrs. is adequately protected and the cleanliness of the area is ensured.
- vii. The respondent/DDA shall ensure that no damage is caused to the trees planted along the periphery of the site.
- viii. The respondent/DDA shall take an undertaking on behalf of the parties (including the petitioners in the present matters) in order to ensure that no damage is caused to the trees already planted and further intended to be planted for demarcating the 10,000



sq. mtrs. after the aforesaid two functions *qua* these petitions.

19. The present decision shall be subject to the final outcome of W.P.(C) 7266/2017.
20. The quarterly compliance reports shall be duly communicated to Ms. Asmita Singh, learned *amicus curiae* in CONT.CAS(C) 1149/2022.
21. Let the case files of these petitions be also supplied to the learned *amicus curiae*.
22. The regular compliances after the conduct of the event shall be duly communicated to the learned *amicus curiae*, who shall revive the petition(s) in case of any non-compliance.
23. The petitions are disposed of in the aforesaid terms, along with pending applications.

**JASMEET SINGH, J**

**AUGUST 17, 2026 / (MS)**