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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4300/2020 & CM APPL. 15472/2020**

BANSRAJ PAL & ANR.Petitioners
Through: Mr Kamlesh Mishra, Ms Kriti Kumari
and Mr Rohit Kalra Advocates.

versus

**DELHI URBAN SHELTER
IMPROVEMENT BOARD & ORS.** Respondents
Through: Mr Anuj Chaturvedi, Advocate for R-
1&2/DUSIB. .

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
% **09.09.2020**

The hearing was conducted through video conferencing.

1. On the last date of hearing i.e. 17.07.2020, this Court observed, *inter alia*, as under:

“...9. On a query being put to the learned counsel for the Delhi Urban Shelter Improvement Board (DUSIB), as to whether the petitioners were heard before their allotment was cancelled and/or before they were directed to vacate the premises, the answer is in the negative. The petitioners, evidently, have been occupying the said premises for the past almost 14 years; if DUSIB wanted to cancel the allotment and directed them to vacate the premises, then in fairness, it ought to have at least heard to them...”

2. The respondent's counter affidavit does not allude to any hearing having been granted to the petitioners prior to the issuance of the impugned notice, declaring them 'unauthorized occupants' of government land. DUSIB contends that the allotment letter issued to

the petitioners had been subsequently cancelled. On a query as to whether they were individually intimated about the allotment, the answer is in the negative. It is, however submitted, that a general notice was published. Admittedly, the allotment was made individually to each of the petitioners. That being the position, nothing stopped the DUSIB from extending a similar courtesy and fairness of procedure, to intimate the petitioners/allottees likewise, i.e. individually, of the cancellation of their allotments.

3. In the circumstances, it will be fair that before taking any precipitate action against the petitioners, they be at least heard by the DUSIB. Let it be so done in the next one month. A reasoned order shall be passed by DUSIB, which shall be communicated to the petitioners within six weeks from today. Till then, no precipitate action shall be taken against the petitioners.
4. The petition, along with pending application, is disposed-off in terms of the above.
5. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

SEPTEMBER 09, 2020/rd