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

+ **W.P.(C) 8564/2024 & CM APPL. 35052/2024**

VIPIN ARORA

..... Petitioner

Through: Mr. Abhay Kumar, Advocate
(M:9213513671)

versus

DELHI DEVELOPMENT AUTHORITY AND ORS.

..... Respondents

Through: Ms. Shobhana Takiar, SC-DDA with
Mr. Kuljeet Singh, Ms. Razia,
Advocates (M:9810962950)
Mr. Tushar Sannu, Mr. Sahaj Karan
Singh, Advocates for R-3,5,6
(M:9911991166)
Mr. Sharique Hussain, Advocate for
R-7 (M:9540535859)
Ms. Vidhushi Gupta, Advocate for R-
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CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

31.05.2024

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CM APPL. 35052/2024 (For Exemption)

1. Exemption allowed, subject to just exceptions.
2. Application is disposed of.

W.P.(C) 8564/2024

3. Present petition has been filed seeking directions against the respondent nos. 1 to 3 and 6 to demolish the built-up structure of respondent nos. 9 to 13, which was being built-up unauthorisedly, on DDA Flats of



Sheikh Sarai area, and are still continuing despite the knowledge of officers of respondent no. 1 to 3 and 8.

4. There is a further prayer seeking directions against respondent nos. 1, 3, 4 and 7 to seal the illegal constructions of respondent no. 9 to 13 for running commercial shops.

5. It is the case of the petitioner that, the general public / residents of *Sheikh Sarai, Phase-II, New Delhi - 110017*, are facing obstruction on public pathways due to encroachment / unauthorized construction on the DDA Flats by Respondent nos. 9 to 13. These constructions lack approval from authorities and impede pedestrian movement.

6. Furthermore, the vehicles parked on the road exacerbate traffic congestion, causing inconvenience to the public at large. Learned counsel for the petitioner submits that, the responsibility for addressing these issues falls under respondent no. 8, who oversees the area and should take legal action against encroachers.

7. It is submitted that respondent nos. 9 to 13 have no Sanctioned Building Plan / Approval Letter from the concerned authorities, yet they engage in illegal construction, allegedly in connivance of Respondents 1, 2, and 8. He further submits that, respondent no. 7 is also responsible for providing electricity services to respondent nos. 9 to 13 in furtherance of the illegal constructions.

8. Learned counsel for the petitioner submits that, despite complaints made to relevant authorities, including the Municipal Corporation of Delhi ('MCD') on 13th February, 2024, and the Deputy Commissioner of Police ('DCP') South District, on 14th February, 2024, no action has been taken against the respondent nos. 9 to 13. Hence, the present petition came to be



filed.

9. Learned counsels appearing for the respondents submit that the respondents are duty bound to take action against any unauthorized construction or encroachment that may be existing in the area in question.

10. Considering the submissions made before this Court, it is obvious that in case any instance of encroachment or unauthorized construction, is brought to the notice of the authorities, action thereto, has to be taken for removal of any encroachment from public land or any unauthorized construction existing in the area in question.

11. Accordingly, the following directions are issued:

I. The complaint dated 13th February, 2024, and 07th March, 2024, shall be considered by the Special Task Force (“STF”).

II. The present petition shall also be treated as a representation to the STF, which shall also be considered by the STF.

III. After consideration of the complaints/representation of the petitioner, a reasoned decision shall be taken and action with respect to the complaint regarding unauthorized construction/encroachment shall be taken up by the STF expeditiously, preferably within a period of twelve weeks from today.

IV. The action taken pursuant to the complaints/representation of the petitioner shall be duly uploaded on the website of the STF, so that the petitioner has access to the information as regards the action taken by the STF.



12. The present petition is disposed of, with the aforesaid directions.

MAY 31, 2024
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MINI PUSHKARNA, J