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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 13343/2023 & CM APPL. 52690/2023, CM APPL. 52691/2023, CM APPL. 62088/2023**

FEKU PRASAD & ORS.

..... Petitioners

Through: Mr. Saurabh Seth, Ms. Neelam Deol
& Mr. Abhiroop Rathore, Adv.
M: 9811393402

versus

DELHI DEVELOPMENT AUTHORITY & ORS. Respondents

Through: Ms. Manika Tripathy, SC with Mr.
Aishwary Jaiswal, Adv. for DDA.
M: 9109000354
Email: aishwaryjaiswal@gmail.com
Mr. Sanjay Kumar Pathak, SC with
Mr. Sunil Kr. Jha, Adv. for R-2 to 4.
M: 9910770311

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
01.03.2024

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CM APPL. 52691/2023 (For Exemption)

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

W.P.(C) 13343/2023 & CM APPL. 52690/2023, CM APPL. 62088/2023

3. The present writ petition has been filed seeking directions to the respondents to not interfere with the possession of the petitioners in land



bearing Khasra No. 167 (24-11), 170 (08-06), 171 min (5-0), 172 (30-15), 173 (5-10), 179 (7-09) admeasuring 79 *bighas* and 11 *biswa* situated in the Village Ladha Sarai, Delhi.

4. The contention of the petitioners is that the aforesaid land is the private land of the petitioners and no prior notice was given to the petitioners before issuance of the demolition notice by the Delhi Development Authority (“DDA”).

5. Learned counsel appearing for the petitioners submits that the present writ petition has been filed with respect to demolition notice dated 12th December, 2022 issued by the DDA. He draws the attention of this Court to the judgment dated 8th November, 2023 passed by the Division Bench in *W.P.(C) No. 840/2023*. By referring to the aforesaid judgment, he submits that the subject matter of the aforesaid petition was also demolition notice dated 12th December, 2022. He further submits that the Division Bench has allowed the said petition and has quashed the demolition notice dated 12th December, 2022 issued by the DDA.

6. He, thus, submits that the case of the present petitioners is at par with the petitioners in the aforesaid writ petition and the case of the petitioners herein is covered by the said judgment. He further submits that in view of the aforesaid facts, the present petition of the petitioners may be treated as a representation before the DDA, so that the petitioners can be heard and appropriate orders can be passed by the DDA accordingly, after considering the submissions made by the petitioners.

7. On the other hand, learned counsel appearing for the respondents submit that the respondents are contemplating to file a review petition with respect to the aforesaid judgment passed by the Division Bench.



8. Be that as it may, considering the fact that the Division Bench by its judgment dated 8th November, 2023 passed in *W.P.(C) No.840/2023* has already quashed the demolition notice dated 12th December, 2022, this Court is of the view that the case of the present petitioners has to be considered by the DDA accordingly.

9. Consequently, the present writ petition is disposed of with directions to the respondents to treat the present petition as a representation of the petitioners. The respondents shall call the petitioners for a hearing and pass an appropriate speaking order after hearing the petitioners and considering all the documents, as submitted on behalf of the petitioners.

10. Needless to state, upon hearing the petitioners and upon consideration of the documents submitted by the petitioners, the DDA shall decide the representation expeditiously.

11. It is clarified that this Court has not expressed any opinion on the merits of the case of either of the parties. All the rights and contentions of the parties are left open.

12. With the aforesaid directions, the present writ petition is disposed of, along with pending applications.

MINI PUSHKARNA, J

MARCH 1, 2024

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