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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 9602/2024**
RESIDENTS WELFARE ASSOCIATION PUNJABI BAGH
APARTMENTSPetitioner

Through: Mr. Nadeem Khan, Adv.

versus

GOVERNMENT OF NCT OF DELHI & ORS.Respondent
Through: Mr. Karan Bhardwaj, ASC, GNCTD,
Mr. Shubham Singh, Mr. Rajat Gaba,
Mr. Saurabh Dahiya, Advs.

CORAM:
HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER
% **04.09.2024**

1. The petitioner in the instant writ petition seeks for the following reliefs:-

“Pass an appropriate writ, order or direction, in the nature of mandamus against the Respondents, thereby directing them to stop the encroachers;

b) Pass an appropriate writ, order or direction, in the nature of mandamus to the respondent no.1 to 4 to demolished the illegal construction upon encroached area. c) Issue a writ, order or direction in the nature of mandamus against the Respondent No. 5 restraining him from making further illegal and unauthorised construction on the encroached area.

d) Pass an appropriate order thereby directing the Respondents to compensate the Petitioner for the hardship and difficulties caused by him on account of their unlawful action;

e) Pass any such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

2. This matter was previously taken up for consideration and the Court, *vide* order dated 16.07.2024, directed for the issuance of notice.



3. The respondent-Corporation, in its status report dated 22.07.2024, has submitted that the land in question belongs to the Public Works Department (PWD) and any necessary action is to be undertaken by the PWD.
4. Learned counsel appearing for PWD, however, submits that a letter was issued on 01.08.2024 to the SDM, Punjabi Bagh, requesting verification of the documents pertaining to the subject property.
5. The Tehsildar, Punjabi Bagh, *vide* letter dated 28.08.2024, has stated that Khasra No. 609/2 (0-3) of village Madipur is registered in the name of one Hariram, son of Kanhaiya. He further indicates that there is no entry regarding Pyau in the revenue records. The Tehsildar explains that the Khasra number and ownership of the disputed property cannot be ascertained due to the heavy development in the surrounding area and accurate determination can only be made after demarcation by the TSM. It stated that without the Khasra number of the disputed property, it is not possible to ascertain the correct factual position. The PWD department, therefore, submits that the further course of action can only be decided after receiving the Khasra number and ownership details through the TSM from the Tehsildar, Punjabi Bagh.
6. Under the aforementioned circumstances, the Court finds that the petitioner may approach the Special Task Force (STF), which includes officers from various departments. The STF is well-positioned to address and resolve the grievance raised in the present writ petition effectively.
7. Leaving that liberty open to the petitioner, at this stage, the Court is not inclined to keep this petition pending.
8. Accordingly, the petition stands disposed of alongwith all pending applications.



PURUSHAINdra KUMAR KAURAV, J
SEPTEMBER 4, 2024/KG