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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 14085/2023, CM APPL. 55703/2023 & CM APPL. 3284/2024

JASMOHAN SINGH AND ANRPetitioners

Through: Mr. Tanmaya Mehta, Mr.
Akshansh Gupta, Mr. Yash
Gaur, Advs.

versus

DELHI DEVELOPMENT AUTHORITY & ANR.

.....Respondents

Through: Mr. Sanjay Podar, Sr. Adv. with
Ms. Shobhana Takiar, SC for
DDA, Mr. Prateek Dhir, Mr.
Kuljeet Singh and Mr. Shivam
Takiar, Advs.
Mr. Sanjay Kumar Pathak, SC
with Mr. Sunil Kumar Jha, Mr.
K.K. Kiran Pathak, Mr. M.S.
Akhtar, Mrs. Musarrat Advs.
for R-2.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

07.10.2024

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1. The petitioners in the present writ petition assail the alleged actions on the part of the respondents, the officials proceeded allegedly in an illegal manner to demolish the subject property and taking over its possession.
2. The subject property in the present writ petition is bearing Khasra No. 401 (4 Bigha 7 Biswas), Goshala Road, Village Satbari, Tehsil Mehrauli, New Delhi.
3. Mr. Sanjay Poddar, learned Senior Counsel appearing for the respondent/DDA submits that on instructions from the Director (Land



Management), DDA, since the Notification No. F.9(16)80-L&B dated 25.11.1980 under Section 4 of the Land Acquisition Act, 1894 and further proceedings emanating therefrom, have been quashed by this Court in CWP No. 1486/1986, the reliefs sought by the petitioners may be granted, and the department shall initiate fresh acquisition proceedings *qua* the aforesaid property.

4. Learned counsel appearing for the petitioner submits that in view of the statement made by the learned senior counsel for the DDA, they give up their prayer in so far as seeking compensation against the respondent/DDA is concerned. However, a request is made for a direction to the BSES to restore the supply of electricity to the said property.

5. Accordingly, the present writ petition is disposed of on the following terms:

“(i) Writ in the nature of *Mandamus* is issued, thereby quashing letters dated 16.10.2023, 18.10.2023 and any other communications issued by the respondents in respect of the petitioner’s property viz. Khasra No. 401 (4 Bigha 7 Biswas), Goshala Road, Village Satbari, Tehsil Mehrauli, New Delhi.

(ii) Writ in the nature of prohibition is passed thereby directing the respondents not to interfere in the peaceful occupation of the aforesaid property viz., Khasra No. 401 (4 Bigha 7 Biswas), Goshala Road, Village Satbari, Tehsil Mehrauli, New Delhi, who are owners thereof and restrained from taking over its possession except in accordance with law;

(iii) Thirdly, a direction is issued to the BSES Rajdhani Ltd. to restore the supply of electricity to the said property after compliance of necessary codal formalities by the petitioners.”

6. The writ petition is disposed of accordingly.

DHARMESH SHARMA, J.

OCTOBER 7, 2024/g