



\$~33

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

+ **W.P.(C) 14087/2023 & CM APPL 55707/2023**

SMT SARITA SARNA

.....Petitioner

Through: Ms. Geeta Luthra, Mr. N.S.
Vashisht, Ms. Pragati and Ms.
Jyoti, Advs.

versus

**DELHI DEVELOPMENT AUTHORITY &
ORS.**

.....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, Advs. for R-2 & 7.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

07.10.2024

%

1. The petitioners in the present writ petition assail the alleged action on the part of the respondents in attempting to illegally demolish the subject property and take over the possession of the same, of which the petitioners are the owners.
2. The subject property in the present writ petition is bearing Khasra No. 402, 403 & 408, Goshala Road, Village Satbari, Chhatbari, Delhi-110074.
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. 1152/1986 vide order dated 11.05.2007, 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 learned Senior Counsel for the DDA, they give up their prayer in so far as seeking compensation against the respondent/DDA is concerned.

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

“(i) Writ in the nature of *Mandamus* is issued, thereby quashing letters dated 16.10.2023 and any other communications issued by the respondents in respect of the petitioner’s property viz. Khasra No. 402, 403 and 408, Goshala Road, Village Satbari, Chhatbari, Delhi-110074

(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. 402, 403 and 408, Goshala Road, Village Satbari, Chhatbari, Delhi-110074, who are owners thereof and restrained from taking over its possession except in accordance with law.”

6. The writ petition is disposed of accordingly.

DHARMESH SHARMA, J.

OCTOBER 7, 2024/g