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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 13479/2024 & CM APPLs. 56410-56411/2024**
AKHIL REXWAL AND ORSPetitioners
Through: Mr. Aditya Sharma, Advocate.

versus

DELHI URBAN SHELTER IMPROVEMENT BOARD AND ANR
.....Respondents
Through: Mr. Parvinder Chauhan, Ms. Aakriti
Garg, Mr. Rahul Chauhan and Ms.
Rani Bala, Advocates for R-1 with
Mr. Himanshu Singha and Mr.
Prakashdeep, L.A.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

25.09.2024

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CM. APPL. 56623/2024 (for impleadment)

1. Through this application, the Petitioners seek to implead Petitioners No. 10 to 12 as parties to the present petition.
2. For the grounds and reasons stated therein, the application is allowed and Petitioners No. 10 to 12 are impleaded as Co-Petitioners. The amended memo of parties filed along with the present application is taken on record.
3. The application stands disposed of.

CM APPLs. 56410/2024 (seeking interim directions to restrain the Respondents No. 1 & 2 from taking any sealing/ demolition) W.P.(C) 13479/2024

4. The Petitioners are allottees/ occupants of dairy farms in Madanpur Khadar Dairy Colony, New Delhi. Their grievance arises from the proposed demolition action on 25th September, 2024 which was earlier scheduled for



23rd September, 2024.

5. The Petitioners point out that this Court through order dated 20th September, 2024, had granted relief of stay of demolition till 3rd October, 2024 to similarly placed occupants of the said Colony allowing them to exercise their right of appeal and seek interim relief before the Court of Hon'ble Lieutenant Governor, Delhi. Thus, they request that similar protection be afforded to them. At the same time, they request that the order passed on 20th September, 2024 which directs that the proposed demolition sealing action should not proceed till 3rd October, 2024, should be modified and extended till the hearing of the interim application by the Court of Hon'ble Lieutenant Governor, Delhi.

6. It is pointed out that some of the Petitioners have already filed appeals before the Court of Hon'ble Lieutenant Governor, Delhi under Section 45 of the Delhi Urban Shelter Improvement Board Act, 2010. The said appeals are now listed for hearing on 20th November, 2024 and, therefore, the Petitioners' application for interim relief would be considered not before the afore-noted date of listing. In such circumstances, it is prayed that the protection from demolition/sealing action should be extended till the time the Petitioners' interim application is considered by Court of Hon'ble Lieutenant Governor, Delhi.

7. Having regard to the afore-noted circumstances, the order dated 20th September, 2024 in W.P.(C) 13265/2024 shall apply *mutatis mutandis* to the present case with the following modifications:

(i) All the Petitioners must file their appeals within the statutory period provided under Section 45 of the Delhi Urban Shelter Improvement Board Act, 2010.



(ii) The proposed demolition/sealing action shall not be carried out till the Petitioners' applications seeking interim relief are considered by Court of Hon'ble Lieutenant Governor, Delhi.

8. With the above directions, the present petition, along with pending application(s), if any, is disposed of.

9. *Dasti* under signatures of the Court Master.

SANJEEV NARULA, J

SEPTEMBER 25, 2024/as