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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 14108/2024 & CM APPL. 59013/2024**
MR. RAKESH KUMARPetitioner

Through: Mr. Faisal Naseem, Mr. Jitender Chaudhary and Ms. M. Asrar, Advocates.

versus

DELHI URBAN SHELTER IMPROVEMENT BOARD AND ANRRespondents
Through: Ms. Aakriti Garg, Advocate for DUSIB.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
07.10.2024

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1. The Petitioner is an allottee/ occupant of dairy farms in Madanpur Khadar Dairy Colony, New Delhi.¹ His grievance arises from the proposed demolition action pursuant to the order dated 22nd August, 2024.
2. The Petitioner points 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.
3. It is pointed out that the Petitioner has already filed an appeal before



the Court of Hon'ble Lieutenant Governor, Delhi under Section 45 of the Delhi Urban Shelter Improvement Board Act, 2010. The said appeal is now listed for hearing on 20th November, 2024 and, therefore, it is prayed that the protection from demolition/sealing action should be extended till the time the Petitioner's appeal is considered by Court of Hon'ble Lieutenant Governor, Delhi.

4. 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 modification:

(i) The proposed demolition/sealing action shall not be carried out till the Petitioner's request for interim relief in the pending appeal is considered by Court of Hon'ble Lieutenant Governor, Delhi.

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

SANJEEV NARULA, J

OCTOBER 7, 2024

as

¹ "the Colony"