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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 14989/2024 & CM APPL. 62821/2024**

GAURAV KUMAR

.....Petitioner

Through: Mr. Atul Varma and Mr. Narender
Vashisht, Advocates.

versus

GOVT OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Santosh Kumar Tripathi,
Standing Counsel (Civil) alongwith
Mr. Pradyumn Rao, Mr. Kartik
Sharma and Mr. Rishabh Srivastava,
Advocates for GNCTD.
Mr. Shashi Pratap Singh and Ms.
Urvashi, Advocates for DDA/R-2.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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24.10.2024

1. Present writ petition has been filed seeking a direction to the respondent nos. 1 to 3 to stop the illegal and unauthorised carving of colony viz. Meena Vihar, on agricultural land belonging to DDA at Khasra Nos. 3//15,16,6; 4//11,20,21; 9//13,14, 17; 11//14,17; 14//9; 41//1,10; 43//10,9 49//37,40; 10//2; 10//21,1; 10//22,2; 10//22; 10//23; 10//24; 10/25 in village Madan Pur Dabas, Delhi ("subject property/land"). The petitioner further seeks a direction to respondent nos. 1 to 3 to remove the roads, boundary wall and houses constructed by respondent nos. 4 to 6 at the subject property.
2. Learned counsel for the petitioner states that the subject land has been acquired by the DDA in 2005-06 vide Award no.3/2020. He states despite the acquisition by DDA, respondent no.1/SDM Kanjhwala vide his letter



24th May, 2024, granted permission to fill soil on the subject land for agriculture purposes. He states that pursuant thereto, respondent nos. 4 to 6 filled *malba* on the land and started carving/settling unauthorized colony on the subject property.

3. He states that the petitioner has made a representation dated 29th June, 2024 to Chairman STF, Deputy Director STF (DDA) and SDM, Rohini, Kanjhwal, Delhi to stop the unauthorised carving of colony at the subject land, but no action has been taken so far.

4. Learned counsel for the DDA, who appears on advance notice, states that the complaint filed by the petitioner has been taken cognizance of and three officers have been appointed to look into the complaint. He states that the STF shall take action in accordance with law within four weeks.

5. The statement made by learned counsel for DDA is accepted by this Court and the STF is held bound by the same. To avoid creation of third party rights, it is directed that for the period of four weeks, no construction shall be carried out on the land in question and any sale deed executed by the respondents shall be subject to further orders to be passed by the STF.

6. With the aforesaid directions, the present writ petition stands disposed of. Pending application also stands disposed of.

MANMOHAN, CJ

TUSHAR RAO GEDELA, J

OCTOBER 24, 2024

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