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

+ **W.P.(C) 15071/2024**

RISHIPAL @ RISHIPAL MAHASHAY

.....Petitioner

Through: Ms. Pragya Dubey, Mr. Aditya
Kadian, Mr. Fareeduddin, Mr. Kailash Kumar and
Ms. Srejal Mishra, Advocates

versus

DELHI DEVELOPMENT AUTHORITY AND ORS....Respondents

Through: Ms. Beenashaw N. Soni, ASC, DDA
with Ms. Ann Joseph and Ms. Mansi Jain,
Advocates for R-1.
Mr. Santosh Kumar Tripathi, SC (Civil) with Mr.
Kartik Sharma and Mr. Rishabh Srivastava,
Advocates for GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

25.10.2024

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1. Present public interest petition has been filed seeking issuance of directions to Respondents to handover the land to Respondent no. 1/DDA for construction of Community Hall/Barat Ghar at Khasra no. 43, Asola Village. Petitioner further seeks directions to the Respondents to decide the Petitioner's representation dated 3rd October, 2024.

2. Learned counsel for the Petitioner states that the land at Khasra No. 43 in Asola Village is vacant and would be an ideal location for a community centre, providing much-needed space for local events and functions. He states that Asola Village was urbanized in 2021, and the



Shamlat Thok land now falls under government jurisdiction, with DDA as the rightful authority. The land was previously managed by the Village Asola Gram Sabha.

3. He states that currently, there is no community or marriage hall in the area, causing significant inconvenience to the local residents, many of whom are poor, landless laborers, or small-scale farmers with limited financial means. He states that without a community hall, even small family functions require people to rent farmhouses, which are often unaffordable for economically weaker sections and middle-class families.

4. He states that several requests by way of representations have been made to the relevant authorities to expedite the transfer of Khasra No. 43 to DDA for the construction of a Barat Ghar/Community Hall, however, no action has been taken till date.

5. Ms. Beenashaw N. Soni, learned Additional Standing Counsel for the DDA states that the land in question has not been handed over to DDA.

6. Learned counsel for GNCTD states that in view of Annexure 'P-8' it is open to DDA to take over possession of the land forthwith.

7. This Court has perused Annexures 'P-8' and 'P-4'. Annexure 'P-4' is a letter issued by the Office of Sub-Divisional Office, Saket to the Commissioner (LM), DDA, Vikas Sadan stating that despite letters dated 2nd April, 2022, 5th April, 2022 and 13th April, 2022, no one was present from DDA to take over the abovesaid land.

8. Consequently, officials of DDA are directed to forthwith take over possession of the land in question i.e. Khasra no. 43, Asola Village.

9. DDA is also directed to decide the Petitioner's last representation dated 13th October, 2024 annexed as Annexure 'P-14' to the present writ



petition in accordance with law as expeditiously as possible, preferably within eight weeks.

10. With the aforesaid directions, the present writ petition stands disposed of. The rights and contentions of all the parties are left open.

MANMOHAN, CJ

TUSHAR RAO GEDELA, J

OCTOBER 25, 2024/kks