



\$~131

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

+ **W.P.(C) 17296/2024 & CM APPLs. 73627-73628/2024**

ZULFIQAR AHMED

.....Petitioner

Through: Mr. Raunak Satpathy, Md. Rashid,
Mr. Airson Tiger and Mr. Mukul
Bondora, Advocates.

versus

DUSIB AND ANR.

.....Respondents

Through: Mr. Anuj Chaturvedi and Ms.
Harshita Maheshwari, Advocate for
R-1/ DUSIB.
Ms. Suruchi Mittal, SPC with and Mr.
Shubham Soni, Advocate for R-2/
SHO.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

16.12.2024

%

1. Respondent No. 1 - Delhi Urban Shelter Improvement Board¹ has passed an order dated 05th September, 2024, under Section 42 of the Delhi Urban Shelter Improvement Board Act, 2010², directing eviction of the Petitioner from the property mentioned in the said notice.

2. The Petitioner has since preferred an appeal against the said order before the Court of the Lieutenant Governor Delhi under Section 45(1) of the Act. Counsel for the Petitioner urges that the said appeal has been heard by the Lieutenant Governor and on 27th November, 2024, the appeal was reserved for orders.

¹ "DUSIB"

² "Act"



3. Through the present writ petition, the Petitioner contends that without any final order being passed by the Lieutenant Governor, the Respondents have threatened to seal the Petitioner's property. Furthermore, the Petitioner has also raised contentions regarding the address of Petitioner's property being wrongly mentioned in the said eviction order.

4. On the other hand, counsel for Respondents strongly controverts the allegations made by Petitioner.

5. The Court has heard the counsel for parties. In the opinion of the Court, without going into the merits of the case, since the appeal preferred by the Petitioner before the Lieutenant Governor is pending final decision, the instant writ petition can be disposed of by observing that till the final decision is rendered in the matter, the Respondents shall not take any coercive action against the Petitioner.

6. It must however be clarified that the aforementioned direction is being issued only because Petitioner has expressed his apprehension that DUSIB has threatened to seal the property, which contention is otherwise strongly controverted by counsel for Respondents. It is made clear that the aforesaid direction is not an expression of the Court's opinion on the merits of the case or the allegations raised by the Petitioner.

7. All rights and contentions of parties are reserved.

8. With the above directions, the present writ petition is disposed of, along with pending applications.

SANJEEV NARULA, J

DECEMBER 16, 2024/d.negi