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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3087/2017, CM APPL. 13437/2017, CM APPL. 24163/2020**
CM APPL. 6803/2022
DEVINDER SINGH AND ANRPetitioner

Through: Mr. L. B. Rai, Mr. Sudhir Sharma,
Mr. Vinesh Tyagi, Advs.

versus

LT GOVERNOR OF DELHI AND ORSRespondent

Through: Mr. Rishikesh Kumar, Ms. Sheenu
Priya, Mr. Atik Gill, Mr. Sudhir
Kumar Shukla, Mr. Sudhir, Advs.

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RAJIV KUMARPetitioner

Through: Mr. Anuroop, Advocate.

versus

THE STATE, GOVT OF NCT OF DELHI AND ORS.Respondent

Through: Mr. Manish Srivastava, Mr. Moksh
Arora, Mr. Santosh Ramdurg, Mr.
Yash Srivastava, Advs.
Mr. Tushar Sannu, Mr. Sahaj Karan
Singh, Advocates.
Mr. Anand Prakash SC for MCD with
Mr. Vansha Arya, Mr. Satbeer
Prajapati, Advocates.
Mr. Sameer Vashishth, ASC Civil,
Mr. Arjun Gupta, Ms. Harshita
Nathurani, Advs.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

09.09.2024

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1. The petitioner in the instant writ petition has prayed for the following reliefs:-

a) Issue a writ in the nature of mandamus or any other appropriate writ or directions directing the Respondents to demolish the un-authorized and illegal constructions including the rooms on the land falling in khasra No.133/11/2(0-10), 133/12/2 (0-10), 133/19 (4-16) and 133/20(4-16) situated in Milan Vihar in village-Burari, Delhi constructed by Santosh S/o. late Shri Kabool Singh and his sons namely Kuldeep and Pradeep; and

b) Pass an order/directions to the Respondents to restore the land in question falling in khasra No. 133/11/2(0-10), 133/12/2 (0-10), 133/19 (4-16) and 133/20(4-16) situated in Milan Vihar village-Burari, Delhi into agricultural land;

c) Pass any other or further orders as may be deemed fit and proper in the facts and circumstances of the present case.

2. On notice being issued, the respondents have placed on record their counter affidavits, compliance report etc. Learned counsel who appears for the petitioner submits that going by the stand taken by the official respondents, it is apparent that there exists unauthorised and illegal construction.

3. On the other hand, the official respondents submit that they are bound to take the illegal action to its logical end in accordance with law. The allegations are, however, opposed by the private respondents.

4. Looking at the nature of the grievance and the fact that the petitioner and the private respondents are at loggerheads with respect to the allegation of unauthorised and illegal construction, the Court deems it appropriate to relegate the matter to the Special Task Force (STF) constituted by the Delhi Development Authority *vide* notification dated 08.03.2019.

5. The Court also takes note of the order passed in W.P. (C) 12033/2024, wherein, while emphasising on the role, functions and scope of the STF,



almost similar grievance was directed to be agitated before the STF.

6. The Court, therefore, grants liberty to the petitioner to approach the STF and further liberty is granted to place on record the stand taken by the DDA/MCD in its status report/counter affidavit.

7. Learned counsel who appears for the private respondents submit that they be granted liberty to put forth their case, in case the STF proposes to take any action against them.

8. Needless to state that the STF shall hear the private respondents before any adverse action is taken against them.

9. Accordingly, the instant petition stands disposed of.

10. All rights and contentions are left open.

PURUSHAINDR KUMAR KAURAV, J

SEPTEMBER 9, 2024/KG