



\$~40

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

+ **W.P.(C) 438/2025**

ALKA SAHNI

.....Petitioner

Through: **Mr. Ashish Negi, Advocate**

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: **Mr. Sanjay Kumar Pathak, SC with
Mr. Sunil Kumar Jha, Mr. M. S.
Akhtar, Mr. Mayank Madhu and Mr.
Sami S. Siddiqui, Advocates for R-1
and R-3**

**Ms. Shobhna Takiar, SC for DDA
with Mr. Kuljeet Singh, Mr. Prateek
Dhir and Mr. Shivam Takiar,
Advocates for DDA**

**Mr. Sanjay Vashishtha, Standing
Counsel for MCD along with Ms.
Harshita Rai and Mr. Siddhartha
Goswami, Advocates for MCD
(Through VC)**

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

15.01.2025

%

CM APPL. 2124/2025 (Exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.



W.P.(C) 438/2025

1. The instant petition under Article 226 of the Constitution of India has been filed on behalf of the petitioner seeking the following reliefs:

*“(i) Issue a writ of mandamus directing the respondents to release and handover the physical possession of the Khasra no. 48/1(3-3), 48/2(1-1), 49/2(1-1), 49(4-4), 56(4-16), 66/1(2-03), 69/2(1-9), ad-measuring in total 21 bighas 12 biswas situated within the revenue estate of Village Sayurpur, Delhi; or
(ii) Issue a writ of mandamus directing the Respondents to pay compensation at current rate to the petitioner alongwith damages/charges under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement act, 2013; and
(iii) Issue a writ of mandamus directing the Respondents to damages to the tune of Rs.50,00,000/- to the Petitioner for illegally occupying the lands in questions of the petitioner without any sanctity under the law;....”*

2. After some length of arguments on merits, learned counsel for the petitioner, without pressing the matter on merits, seeks an innocuous prayer that the instant petition may be treated as a representation before the competent authority i.e., Director, Land Management and the said authority may be directed to decide the said representation within the prescribed time in accordance with law.

3. Learned counsel appearing on behalf of the respondents-DDA and LAC vehemently opposed the instant petition but has no objection to the innocuous prayer made by the learned counsel for the petitioner.

4. Heard learned counsel for the parties and perused the record.

5. Since the learned counsel appearing on behalf of the petitioner has not pressed the matter on merits and only sought for the aforesaid innocuous prayer, this Court is inclined to allow the same.



6. Accordingly, the petitioner is directed to file an appropriate application along with the copy of the instant petition as well as the certified copy of this order before the competent authority i.e., Director, Land Management within one week. After receiving the said application, competent authority i.e., Director, Land Management is directed to treat the said application as representation and dispose of the same after hearing the petitioner and pass a detailed and reasoned order in accordance with law expeditiously, preferably within eight weeks.

7. With the aforesaid directions, the instant petition is disposed of along with pending applications, if any.

CHANDRA DHARI SINGH, J

MANOJ JAIN, J

JANUARY 15, 2025
gs/mk

Click here to check corrigendum, if any