



\$~77

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 527/2025 CM APPL. 20256/2025**
PANCHSHILA COOPERATIVE HOUSE BUILDING SOCIETY

.....Petitioner

Through: Mr. Ashim Shridhar, Ms. N.
Patwardhan, Advs.

versus

ASHWANI KUMAR & ORS.

.....Respondent

Through: Mr. Abhishek Khanna, Mr. Parvesh
Khanna and Mr. Ashish Khanna,
Advs for R-2.
Ms. Ankita Bhardwaj, Adv for MCD
with Mr. Shivam and Mr. Tushar
Sannu, Advocates.
Mr. Kotla Harshvardhan, Mr. A.
Gupta, Advs for contemnor no. 3.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

07.04.2025

%

1. Counsel for MCD states that the steps for removal of the said encroachment in compliance of order dated 22nd May 2023, passed by this Court in ***W.P.(C) 6929/2023***, have been complied with, and the encroachment has since been removed.
2. Counsel from Legal Aid appearing for respondent no.3 states that they have been occupying the area for many decades and that respondent no.3 is also disabled and had been providing ironing services to the members of the residents of the society, *Panchshila Co-operative House Building Society*.
3. He states that this morning the respondent No. 3 and his family were



evicted from that area. They had attempted to make representations to the petitioner society for them to be rehabilitated, but it has not fructified.

4. He further states that they have moved an application before the *Commission for Persons with Disabilities* in order that some assistance could be given to respondent no.3. He informs that an order dated 3rd August 2023 was passed by the *Commissioner to the Delhi Urban Shelter Improvement Board (DUSIB)* for some rehabilitation; however, no response has been received.

5. Counsel for respondent no.3. states that they shall take steps before the Writ Court in this regard. They are at liberty to do so in accordance with law.

6. Counsel for petitioner was confronted by the opposing counsel, whether there is a resolution of the Society bearing out that a collective decision was taken to proceed against the respondent no.3, to which the counsel states that there certainly is a resolution and he shall place the same on record.

7. Copy of the same shall be provided to the counsel respondents in this regard.

8. Considering that the orders have been complied with, no further orders need to be passed.

9. However, respondent no.3, is at liberty to approach petitioner's society for requesting rehabilitation, if possible, in accordance with law.

10. Counsel for petitioner states that he has been represented the society for some years and shall provide cooperation in this regard.

11. On the request of counsel for respondent no.3, it is reiterated that the Writ Court had not gone into the respective merits and contentions of the



parties and respondent no.3. was at liberty to seek remedies as may be available under law.

12. Petition is disposed of accordingly.
13. Order be uploaded on the website of this Court.

ANISH DAYAL, J

APRIL 7, 2025/RK