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

+ **W.P.(C) 5527/2025 & CM APPL. 25150/2025**

AMITA JALTA

.....Petitioner

Through: Appearance not given.

versus

DELHI DEVELOPMENT AUTHORITY & ANR.Respondents

Through: Mr. Sanjay Katyal, Standing Counsel
with Ms. Ritika Bansal, Advocate for
R-1/DDA.

Mr. Saurabh Kripal, Senior Advocate
with Mr. Manan Popli, Ms. Apoorva
and Mr. Dhruv Chatarth, Advocates
for R-2.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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29.04.2025

1. Issue notice to the respondents.
2. On behalf of the Delhi Development Authority/R-1, Mr. Sanjay Katyal, learned Standing Counsel has put in appearance and accepts notice. Whereas Mr. Manan Popli puts in appearance on behalf of respondent no.2 and accepts notice.
3. Heard the learned counsel for the parties.
4. This petition under Article 226 of the Constitution of India has been filed with the prayer to quash the Request for Proposal dated 08.06.2024 issued by respondent no.1 and the consequential corrigendum letter dated 11.07.2024. Another prayer made in the writ petition is that the respondent no.1 be directed to demolish and remove the illegal construction said to have been raised by respondent no.2 and to restore the land to its original state.



5. On instructions, Mr. Sanjay Katyal representing the Delhi Development Authority has stated that on finding out certain illegalities committed by the respondent no.2 in execution of the work pursuant to the work order, the action against respondent no.2 has already ensued and as a first step, stop-work order has been issued on 27.02.2025. He has further stated that pursuant to the said stop-work order, respondent no.2 has stopped the construction work on the site.

6. Mr. Saurabh Kripal, learned senior counsel appearing for respondent no.2 has also stated, on instructions, that pursuant to the stop-work order passed by Delhi Development Authority, construction work on the site is not going on at present.

7. It has also been stated by learned counsel representing the Delhi Development Authority that further legally permissible action will also be taken which are already in contemplation.

8. At this juncture, learned counsel representing the petitioner has stated that nothing has been done so far as demolition of illegal constructions raised by respondent no.2 is concerned.

9. In view of the statement made by learned counsel representing the Delhi Development Authority as also the respondent no.2, we have no reason to disbelieve that some proceedings into the allegations relating to illegal construction, said to have been raised by respondent no.2, has already commenced and the stop-work order has also been issued.

10. In case, the petitioner has any apprehension that despite the stop-work order having been issued by Delhi Development Authority, construction is still going on, it will be open to him to take appropriate proceedings before a competent Court in a situation where the statement made by learned counsel



representing both the parties is found to be incorrect or untrue.

11. Since the Delhi Development Authority has already initiated action against respondent no.2 and certain proceedings are going on, any interference at this stage in these proceedings may cause some or the other prejudice to the causes of both the parties.

12. Accordingly, we dispose of this writ petition in the following terms:

(i) The statement recorded today in our order above on behalf of the Delhi Development Authority as also on behalf of respondent no.2 shall be strictly followed by the parties.

(ii) Further proceedings which are said to have been initiated by Delhi Development Authority against respondent no.2 shall be taken to its logical end, with expedition and also in accordance with law, of course after providing adequate opportunity of hearing to the respondent no.2.

(iii) In case the petitioner has any evidence or any other document establishing some irregularity or illegality in the constructions in question, it will be open to him to submit it to the Assistant Engineer (Civil), Qutub Golf Course, Delhi within a week and in case any such evidence or document or material is presented by the petitioner, the same shall also be taken into consideration by the Delhi Development Authority in the pending proceedings against the respondent no.2.

13. The writ petition stands disposed of with the aforesaid observations and directions.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

APRIL 29, 2025/yrj