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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5663/2025 & CM APPL. 25811/2025

RESIDENTS WELFARE ASSOCIATION INDIRA GANDHI

CAMP, THROUGH ITS VICE PRESIDENT & ORS.....Petitioners

Through: Mr. Pawan Reley, Mr. Akshay Lodhi,
Mr. Gaurav Kumar, Mr. Kashif Athar,
Ms. Simran Singh, Ms. Tanish Rawat
and Mr. Utkarsh Agarwal, Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Amit Tiwari, CGSC with Mr.
Himanshu Bidhuri, Ms. Ayushi
Srivastava and Mr. Ayush Tanwar,
Advs. for R-1/UOI.

Ms. Prabhsahay Kaur, SC for DDA
with Ms. Sana Parveen, Mr. Aditya
Verma and Ms. Kavya Shukla, Advs.
for R-3/DDA.

Mr. Anuj Chaturvedi and Ms.
Harshita Maheshwari, Advs. for R-
4/DUSIB.

Mr. Tushar Sannu, SC for MCD with
Mr. Sourav Verma and Mr. Pravin
Bansal, Advs. for R-6/MCD.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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30.04.2025

CM APPL. 25812/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 5663/2025

3. The present petition has been filed under Article 226 of the
Constitution of India seeking following relief:

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“a. Issue a Writ of Mandamus or any other appropriate writ, order, or direction quashing and setting aside the Notice dated 26.04.2025 issued by the Respondent No.3 Delhi Development Authority directing removal of jhuggis and houses situated between CV Raman Marg and Taimoor Nagar Extension;

b. Issue a Writ of Mandamus or any other appropriate writ, order, or direction directing the Respondents to not physically dispose/evict the residents from the demolition site and not to take any other coercive action against the Petitioners, including eviction or demolition, without first conducting a proper survey, identifying eligible persons, and providing adequate rehabilitation, in accordance with the Delhi Slum & JJ Rehabilitation and Relocation Policy, 2015 and the judgments passed by the Hon'ble Supreme Court and the Hon'ble High Court of Delhi;

c. Issue an appropriate writ, order, or direction directing the respondent no. 4 namely Delhi Urban Slum Improvements Board, Delhi to formulate and implement an in-situ rehabilitation plan for the Petitioners, or in the alternative, provide suitable relocation along with all basic civic amenities, before undertaking any removal or demolition;

d. Issue an appropriate writ, order, or direction declaring that, in the event the Petitioners' JJ Basti (Indira Gandhi Camp, Part-I, Taimoor Nagar) is not presently reflected in the JJ Clusters List prepared by the respondent no. 4 namely Delhi Urban Slum Improvements Board, (DUSIB), the Petitioners' JJ Basti shall nevertheless be deemed to form part of the JJ Clusters List prepared by DUSIB, having regard to the long-standing existence of the basti, the recognized eligibility of the residents, and in the interest of justice, fairness, and protection of fundamental rights;”

4. Ms. Prabhsahay Kaur, the learned Standing Counsel for the respondent no.3/DDA, at the outset, draws attention of the Court to the order dated 28.04.2025 passed in W.P.(C) 13190/2024 to contend that the impugned action is being taken by the respondent no.3/DDA along with

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Special Task Force (STF) pursuant to the directions passed by the Hon'ble Division Bench of this Court *vide* said order. The relevant part of the said directions reads thus:

“12. Some of the intervenors, who are the residents of the structures encroaching upon the drain, have appeared before the Court. Mr. Sandeep Sharma, Id. Senior Counsel appearing for them submits that in terms of the initial meetings convened by STF, only an extent of 22 meters was to be demarcated for the purpose of laying the drains. However the STF has subsequently demarcated 27 meters which, according to the Id. Counsel, runs across the properties of several occupants/intervenors.

*13. Insofar this aspect is concerned, Mr. Anil Kumar, head of the STF submits that the demarcation has been done only in terms of the Alignment Plan which has been approved by this Court *vide* order dated 17th April, 2025.*

14. In view thereof, let the demolition be carried out on 1st May, 2025 onwards.

15. Mr. Dhruv Rohatgi, learned Counsel for the GNCTD, submits that the brick and cement concrete (CC) work for construction of the drain wall is scheduled to commence. One tender has already been floated, and another tender pertaining to the layout is expected to be floated within the next 2–3 days. Let both tenders be floated, bids invited and finalized, so that the construction work can commence without further delay.

16. At this stage Mr. Sharma submits that the demolition work may commence on 5th May, 2025 onwards. Request acceded to. Let DDA commence the demolition work from 5th May 2025, as requested by the residents.

17. List on 26th May, 2025.”

5. Faced with this situation, Mr. Pawan Reley, the learned counsel for



the petitioner seeks to withdraw the present petition with liberty to approach the Hon'ble Division Bench by filing an application in W.P.(C) 13190/2024.

6. Accordingly, the petition is dismissed as withdrawn with liberty as aforesaid.

VIKAS MAHAJAN, J

APRIL 30, 2025/dss

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