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

+ **W.P.(C) 5823/2025**

SUNIL KUMAR

.....Petitioner

Through: **Mr. Akhil Rataeeya, Advocate.**

versus

GOVERNMENT OF NCT OF DELHI AND ORSRespondents

Through: **Ms. Shobhana Takiar, Standing
Counsel for DDA with Mr. Kuljeet
Singh, Advocates.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **02.05.2025**

CM APPL. 26614/2025(for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 5823/2025

1. The prayers in this writ petition under Article 226 of the Constitution, are as follows:-

“a. Issue a writ of ***mandamus*** or any other appropriate writ, direction, or order commanding Respondents No. 2 to 4 to ***immediately withdraw and suspend all demarcation proceedings*** and the reports pertaining to Khasra Nos. 129, 148 and adjoining land in Village Kharkhari Rondh, Najafgarh, New Delhi;

b. Direct Respondent No. 5 (DDA) to file a ***verified ownership certificate and status report*** regarding the land in question, and clarify its jurisdiction (to whom the property belongs i.e., DDA or Revenue authority) over the said land;

c. Declare all demarcation proceedings initiated by



Respondents No. 2 to 4 in respect of the said urbanized land as **illegal, void, and without jurisdiction;**

d. Direct the respondents to clear all the encroachment from all the khasra nos. of the Gram Sabha Land from Village Kharkhardi Rond, Najafgarh, New Delhi; as shown in site plan and used the same for the welfare of the Villagers;

e. Direct an **independent inquiry** into the alleged favouritism, arbitrary actions, and possible collusion among certain public officials and private encroachers and also direct the respondents to **Reconstruct the Main Pathway between Khasra No. 42**, specifically from the south side of the petitioner's residential plot, House No. 45, and connects to Khasra No. 43 (village common land/road) (as shown in site plan);

f. Pass ad-interim ex-parte injunction in favour of the petitioner and against the respondents and the villagers of village Kharkhari Rondh thereby restraining and prohibiting them, their attorneys, servants, legal heirs, executors, administrator, agents, friends, family etc. not to construct/ demolish/ irrigate or any other activity in the khasra no. 6/3/1, 6/4/1/2, 7/16, 7/17/1, 7/19/2, 7/22, 7/23, 7/25, 7/27, 7/33, 8/25, 9/12/1, 10/14, 10/17/2, 10/24/2, 11/17, 11/18/1, 11/18/2, 11/19, 11/22/2, 11/23, 11/24/1, 16/2/2, 16/12, 16/18/3, 16/19, 17/7/1, 17/8/1, 19/15/2, 19/16, 19/17/1, 19/25, 20/11, 0/21, 0/22, 0/23, 0/24, 0/25/2, 0/26, 0/26/1, 0/27/2, 0/43, 0/44, 0/45, 0/46, 0/48, 0/49, 0/50, 0/51, 0/52, 0/53/2, 0/54, 0/55, 0/56, 0/57, 0/58/2, 0/59, 0/60, 0/61, 0/62, 0/63, 0/64, 0/65, 0/66, 0/67, 0/68, 0/69, 0/70, 0/71, 0/72, 0/73, 0/74, 0/75, 0/76, 0/77, 0/78, 0/79, 0/80, 0/81, 0/82, 0/83, 0/84, 0/85, 0/86, 0/87, 0/88, 0/89, 0/90, 0/91, 0/92, 0/97, 0/103, 0/104, 0/105, 0/106, 0/107, 0/108, 0/109, 0/110, 0/115, 0/117, 0/119, 0/121, 0/123, 129/13, 129/26, 129/27, 129/28, 129/29, 129/30, 129/31, 129/32, 129/32, 129/33, 129/34, 129/35, 129/36, 129/37, 129/38, 129/46, 129/47, 129/48, 129/49, 129/50, 129/51, 129/52, 129/53, 129/54, 129/55, 129/56, 129/57, 129/58, 129/59, 129/60, 129/61, 129/62, 129/63, 129/64, 129/65, 129/66, 129/67, 129/68, 129/69, 129/70, 0/130, 0/135, 0/137, 0/138, 0/139, 0/140, 0/142, 0/147, 148/2, 148/3, 148/4, 148/5, 148/6, 148/7, 148/8, 148/9, 148/10, 148/11, 148/12, 148/13, 0/150, 0/151, 0/152, 0/153, 0/154, 0/155, 0/156, 0/157, 0/158, 0/159, 0/160, 0/161, 0/162, 0/164, 0/165, 0/168, till the final disposal of the suit;

g. Direct the Respondents to **take appropriate legal action** under appropriate Sections of law against individuals attempting illegal encroachment on DDA land;

h. Pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the interests of justice.”

2. The petitioner claims to be a resident of the concerned village, but



does not claim to be the owner of the lands in question.

3. The only allegation with regard to any personal property rights of the petitioner being infringed, is based upon an allegation that a pathway which is used by him for access to his house was removed by the Delhi Development Authority in September 2024. In the event, the petitioner asserts any property rights of any nature, including easement over the said land, he would have to establish that in civil proceedings.

4. As far as the other prayers are concerned, Mr. Akhil Rataeeya, learned counsel for the petitioner, seeks permission to withdraw the writ petition with liberty to file a Public Interest Litigation with the necessary averments, particulars, and prayers.

5. The writ petition is therefore disposed of with these observations.

6. Needless to say, that this Court is not called upon to comment on the maintainability or merits of any litigation that might be filed by the petitioner in future.

PRATEEK JALAN, J

MAY 2, 2025

'pv/JM'/'