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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 6865/2025, CM APPL. 31103/2025, CM APPL. 31104/2025,
CM APPL. 31105/2025, CM APPL. 31106/2025 & CM APPL.
31107/2025

LALIT KUMARPetitioner

Through: Petitioner in person.

versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Nitinija Chaudhry, SPC with Mr. Rahul Mourya, Advocate for R-1 and 2.

Mr. Sameer Vashisht, Standing Counsel (Civil) with Ms. Harshita Nathrani, Advocate for R-3/GNCTD.

Mr. Sandeep Sethi, Senior Advocate with Mr. Anupam Varma, Mr. Nikhil Sharma and Ms. S. Akshata, Advocates for R-4.

Mr. Arjun Mahajan, Standing Counsel with Mr. Apoorv Upmanyu and Mr. Harsh Vashisht, Advocates for R-6/STF.

Mr. Tushar Sannu, Standing Counsel with Mr. Parvin Kr. Bansal, Advocate for MCD.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

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21.05.2025

1. Heard the learned counsel for the parties.



2. Having regard to the nature of prayers made and the pleadings available on record, we are not inclined to adjudicate any prayers except the prayer made in respect of “removal of alleged unauthorized constructions” which are enlisted in an application dated 18.04.2025 said to have been made by the petitioner to the Special Task Force which has been enclosed as Annexure P-20 to the writ petition.

3. Along with the said application details of certain alleged unauthorized constructions have been made which are said to be based on a survey conducted by the petitioner himself. Though, the details of the alleged unauthorized constructions lack specifics, however having regard to the fact that possibility of unauthorized constructions cannot be denied, we find it appropriate to issue directions to the STF to take cognizance of the said application dated 18.04.2025 and get an appropriate survey conducted in respect of the premises/spaces mentioned in the said application to ascertain as to whether there are some illegal/unauthorized constructions.

4. Once such a survey is conducted, and in the survey, unauthorized constructions are found, the STF or any other competent authority shall take appropriate action for removal of such authorized/illegal constructions which may be warranted in law, of course after forming the due process which will necessarily involve issuance of a notice to the person who is said to have raised the illegal/unauthorized constructions.

5. On survey to be conducted under this order, if illegal encroachment and unauthorized construction are found, appropriate action shall also be taken by the authority concerned for removal of the same within a reasonable time, say within a period of three months from the completion of survey. The survey under this order shall also be completed within a period of two months from



today.

6. We further direct that in the event of the STF finding unauthorized/illegal constructions in the survey to be conducted under this order, if the STF requires the concerned Department/Officials/Officers/Authorities to take appropriate action, all the Department/Officials/Officers/Authorities shall be bound by the same and in case any police protection or police help is required the same shall also be provided.

7. We further direct that it shall be the personal responsibility of the SHO of the area concerned to provide the requisite police protection.

8. The writ petition stands disposed of in the aforesaid terms. Learned counsel representing the STF shall communicate this order to the Chairperson of the STF.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

MAY 21, 2025

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