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

+ **W.P.(C) 8473/2025 & CM APPL. 36830/2025**

ALIYA FARZANA

.....Petitioner

Through: Mr. Nasir Aziz, Mr. Baasir Aziz, Mr. A.J.H. Khan, Mr. Mohammad Mubashir and Mr. Mohammad Asif, Advs.

versus

DELHI DEVELOPMENT AUTHORITY & ANR.Respondents

Through: Ms. Shobhana Takiar, Standing Counsel for DDA with Mr. Kuljeet Singh, Mr. Prateek Dhir and Mr. Shivam Takiar, Advs. for DDA. Mr. Mr. Abhinav Singh, Adv. for R-2/GNCTD.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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30.07.2025

1. The present petition has been filed seeking following relief:

*“a) Issue a writ in the nature of **Mandamus** or any other appropriate writ, order or direction restraining the Respondents from taking any coercive action, including eviction, demolition or sealing, against the Petitioner in respect of property bearing House No. G-36, part of Khasra No. 285/1, situated at Gali No. 12, Muradi Road, Batla House, Okhla, New Delhi 110025;*



*b) Issue a writ in the nature of **Mandamus** or any other appropriate writ, order or direction directing the Respondents to remove the notice pertaining to a different Khasra from the property bearing House No. G-36, part of Khasra No. 285/1, situated at Gali No. 12, Muradi Road, Batla House, Okhla, New Delhi - 110025; and stop any action of demolition against the property in view of the fact the property falls in Khasra No 285 and not in Khasra No 279, subject matter of the notice dated 24.05.2025*

c) Pass an order declaring that the Petitioner is in settled lawful possession of the said Property and entitled to protection against arbitrary eviction;”

2. Essentially the grievance of the petitioner is that the ADM (South East), GNCTD has issued a notice dated 24.05.2025 asking the residents of Khasra No. 279 Village Okhla to vacate their respective premises within 15 days from the issuance of notice as demolition programme with regard to the same had been proposed.
3. The learned counsel appearing on behalf of petitioner submits that under the garb of the said notice, the authorities are proposing to take action against the premises of the petitioner as well.
4. He submits that the property of the petitioner bears House no. G-36 and is not part of Khasra No. 279, Village Okhla, rather the same is comprised in Khasra No.285/1 Village Okhla.
5. He submits that no show cause notice has been given to the petitioner before proceeding to take demolition action, which position is controverted by Ms. Shobhana Takiar, learned Standing Counsel appearing on behalf of the DDA.
6. At this stage, learned counsel appearing on behalf of petitioner



submits that he will not press the present petition any further in case an opportunity is afforded to the petitioner to put forth his case before the concerned official of the DDA and a speaking order is passed with regard to the contention of the petitioner.

7. Ms. Shobhana Takiar, learned Standing Counsel submits that the petitioner can approach the Director (Land Management) and the present petition will be considered as representation.

8. Having regard to the rival submissions of the learned counsel for the parties and the nature of controversy involved, this Court is of the view that the present petition can be disposed of by directing the respondent DDA to treat it as representation and to dispose of the same by a speaking order after affording personal hearing to the petitioner.

9. For the purpose of hearing, let petitioner appear before the Director (Land Management), DDA on 05.08.2025 and place the relevant documents before him.

10. Director (Land Management) is directed to give personal hearing to the petitioner and dispose of the representation by a speaking order within 15 days from the date of this order. The speaking order passed shall be communicated to the petitioner through his counsel.

11. The petition alongwith pending application stands disposed of in the above terms.

12. It is further directed that no coercive action be taken till the expiry of one week's time from date of communication of speaking order.

13. In case the grievance of the petitioner still subsists after the passing of the speaking order, he shall be at liberty to approach this Court, if so advised.



14. Order *dasti* under the signatures of the Court Master.

JULY 30, 2025
N.S. ASWAL

VIKAS MAHAJAN, J