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

+ **W.P.(C) 11869/2025 & CM APPL. 48461-48462/2025**

KEWAL KISHAN MALIK & ANR.Petitioners

Through: Ms. Smita Maan, Mr. Vishal Maan, Mr. Aditya Singh, Mr. Kartik Dabas and Mr. Yuvraj Dahiya, Advocates.

versus

GOVT OF NCT OF DELHI & ANR.Respondents

Through: Mr. Lalitaksh Joshi and Ms. Ananya Sanjiv Saraogi, Advocates. Ms. Manika Tripahti, SC for DDA with Mr. Gautam Yadav and Mr. Akash, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **08.08.2025**

1. By way of this petition, the petitioners seek a direction for demarcation to be carried out, in respect of the land in their ownership and possession admeasuring 28 bighas and 2 biswas, bearing *kill* no. 2//25 (2-05), 3//21 (4-16), 3//19 *min* (1-07), 3//20 (6-16), 3//22 (4-16), 3//13(3-01), 3//19*min* (5-01), situated in village Samalka, New Delhi [“subject land”].

2. According to the petitioners, they have been in possession of the subject land by virtue of three registered sale deeds executed on 17.08.1979, and another sale deed executed on 30.01.1980. The petitioners claim that their ownership and possession has continued



uninterrupted for the period of approximately 45 years, and mutation has also been carried out in their favour. It is their case that they constructed a boundary wall around the subject land in April 1990, at which time the Gaon Sabha and Revenue Department confirmed the extent of the subject land. Ms. Smita Maan, learned counsel for the petitioners, draws my attention to a report of the concerned Block Development Officer dated 19.04.1990. However, the petitioners submit that in May 2025, a part of the boundary wall was demolished, but the petitioners were permitted to rebuild the boundary wall at a demarcation point marked by the respondents.

3. The petitioners' grievance in this writ petition is that, on 31.07.2025, the respondents allegedly visited the site once again, and threatened them with demolition of the boundary wall and dispossession of part of the subject land.

4. In these circumstances, Ms. Maan seeks a direction for a demarcation to be carried out, and submits that the same may be undertaken at the petitioners' expense. She further requests that *status-quo* be maintained as to the nature and character of the subject land, and undertakes that the petitioners will also maintain *status-quo* in all respects until the demarcation process is complete. Ms. Maan relies upon an order dated 23.05.2025 passed in W.P.(C) 7105/2025, which concerns the property neighbouring the subject land, where similar orders were passed.

5. When the writ petition was first taken up on 07.08.2025, learned counsel for Government of National Capital Territory of Delhi ["GNCTD"] acceded to such orders, but Ms. Manika Tripathi, learned Standing Counsel for Delhi Development Authority ["DDA"] sought time



to take instructions. She states today, on instructions, that DDA has no objection to a direction for demarcation at the expense of the petitioners.

6. In view of the above, the writ petition is disposed of with the directions that demarcation be carried out in coordination between the DDA and GNCTD, in the presence of the petitioners or their authorised representatives, by the Total Station Method. The petitioners are directed to cooperate in the process. The petitioners will bear the necessary expenses.

7. Having regard to the claim of long possession of the petitioners, the facts noted above, and in terms of the directions in the aforesaid order dated 23.05.2025 in W.P.(C) 7105/2025, the parties are directed to maintain *status-quo* as to the nature and character of the subject land, as well as title and possession, until the demarcation exercise is concluded, and for a further period of 15 days after the report is communicated to the petitioners.

8. All pending applications are also disposed of.

PRATEEK JALAN, J

AUGUST 8, 2025
SS/KA/