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

+ W.P.(C) 15815/2024

SMT. SAIRA BANO D/O MOHAMMAD ZAFERPetitioner

Through: Mr. Shakil Akhtar, Advocate.

versus

THE GOVERNMENT OF NCT (GNCT), DELHI
& ORS.

.....Respondents

Through: Mr. Manashwy Jha, Mr. Kshitiz
Rai, Advocates for R-1 to 4.
Ms. Shobhana Takiar, SC with Mr.
Kuljeet Singh, Advocate for DDA.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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10.09.2025

CM APPL. 54573/2025 (for early hearing)

This is an application for early hearing of the writ petition.

With the consent of learned counsel for the parties, the application is allowed, and the writ petition is taken up on Board.

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1. The petitioner, who claims to be the owner in possession of land *admeasuring 700 sq. yards, bearing Khasra No. 77-78 (total 3 Bigha 5 Biswa) and Jamabandi No. 185/199 and Khatami No. 458/459, situated at village Hamid Sarai, Mauza Hauz Rani, Malviya Nagar, New Delhi-110017*, has filed this writ petition for a direction upon the respondents to demarcate her land.

2. Although notice was issued as far back as on 14.11.2024, no



counter affidavit has been filed by respondents. Mr. Manashwy Jha, learned counsel for Government of the National Capital Territory of Delhi [“GNCTD”], however, was requested to take instructions by order dated 01.09.2025. Pursuant to the said order, Mr. Jha enters appearance, and submits that the only difficulty with demarcation is that the land in question, which falls within Village Hauz Rani, has been urbanised by notification dated 28.05.1966, and the land has been placed at the disposal of the Delhi Development Authority [“DDA”].

3. At the oral request of Mr. Shakil Akhtar, learned counsel for the petitioner, DDA is impleaded as respondent No. 5 in the writ petition. Amended memo of parties to be filed in the course of the day.

4. Ms. Shobhana Takiar, learned Standing Counsel, accepts notice on behalf of DDA. As the only question in the writ petition relates to the demarcation of the property, Ms. Takiar was requested to take instructions, and the matter was passed over.

5. The attention of learned counsel for the parties was drawn to an order of this Court in *Luv Nagpal & Anr. v. Govt. of NCT of Delhi & Ors.* [W.P.(C) 13567/2025, dated 03.09.2025], which concerned a similar request for demarcation in respect of land in an urbanised village. The petition was disposed of in the following terms:

“4. The question of whether the revenue authorities or DDA retain jurisdiction to carry out demarcation after urbanisation remains pending before the Full Bench in Original Reference No. 1/2024. However, in order to resolve the petitioners’ grievance while the matter remains pending, Ms. Takiar submits that, without prejudice to the rights and contentions of the parties in Original Reference No. 1/2024, DDA will associate itself with the demarcation exercise. Mr. Joshi submits that in all such cases, even if the jurisdiction is with DDA, GNCTD provides necessary support and assistance in carrying out the demarcation proceedings. The demarcation, in any event, is



carried out through a third-party agency.

5. Having regard to these submissions, and in order for the exercise of demarcation to be carried out expeditiously, even while the question of jurisdiction remains pending before the Full Bench, the writ petition is disposed of with the direction that DDA and GNCTD may coordinate to carry out the demarcation of the subject land in the presence of the petitioners or their representatives, within a period of four months from today. The expense for the same will be borne by the petitioners.

6. It is made clear that this exercise will be carried out without prejudice to the rights and contentions of DDA and GNCTD before the Full Bench, and also without prejudice to the rights and contentions of any third party.”

6. Learned counsel for the parties submit that the present writ petition may also be disposed of in similar terms.

7. It is therefore directed that DDA and GNCTD will coordinate to carry out the demarcation of the subject land in the presence of the petitioners or their representatives within a period of four months. The expense for the same will be borne by the petitioners.

8. It is made clear that this exercise will be carried out without prejudice to the rights and contentions of the DDA and GNCTD before the Full Bench in Original Reference No. 1/2024, as also without prejudice to rights of any third party.

9. The next date of hearing, i.e. 15.12.2025, stands cancelled.

PRATEEK JALAN, J

SEPTEMBER 10, 2025

“Bhupi”/AD/