



\$~18 to 23

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

+ W.P.(C) 14036/2023 & CM APPL. 55449/2023
RADHEY SHYAMPetitioner

versus

STATE GNCTD & ORS.Respondent

+ W.P.(C) 14037/2023, CM APPL. 55452/2023, 43683/2024,
43684/2024 & 57818/2024
SAURAV PRAKASHPetitioner

versus

STATE OF GNCTD & ORS.Respondent

+ W.P.(C) 14038/2023 & CM APPL. 55453/2023
SANJAY KUMARPetitioner

versus

STATE GNCTD & ORS.Respondent

+ W.P.(C) 14039/2023 & CM APPL. 55455/2023
SHYAM BALHARAPetitioner

versus

STATE NCT OF DELHI & ORS.Respondent

+ W.P.(C) 14041/2023, CM APPL. 55460/2023, 43682/2024 &
57786/2024
BAL KISHAN SAINIPetitioner



versus

+ STATE NCT OF DELHI & ORS.Respondent
W.P.(C) 14045/2023 and CM APPL. 55466/2023

PINKI BALHARA & ORS.Petitioners

versus

GOVT. OF NCT OF DELHI & ORS.Respondents
Through:

Appearance:

Mr. Krishna Ballabh Thakur, Advocate for petitioners in Item No.18 to 22.

Mr. Sharique Hussain, Advocate for R-5.

Ms. Sangeeta Bharti, SC for DJB.

Mr. Dhruv Rohatgi, Ms. Chandrika Sachdev, and Mr. Dhruv Kumar, Advocates for R-1 to 3.

Mr. Sanjay Vashishtha, SC for MCD with Mr. Siddhartha Goswami and Ms. Geetanjali Reddy, Advocates.

Mr. Tushar Sannu and Mr. Aman Kumar, Advocates for GNCTD in Item No.23.

Ms. Rachita Garg & Mr. Agam Rajput, Advocates for GNCTD in Item No. 19 and 22.

Ms. Jagrati Singh, SC for MCD with Mr. Rajpal and Mr. Surender Kumar, Advocates in Item No.19 and 22.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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04.07.2025

1. The principal challenge in these writ petitions is to a notice issued by the Government of the National Capital Territory of Delhi



[“GNCTD”] on 16.10.2023, wherein it was contended that *Khasra No. 134, Village Neb Sarai, Tehsil Saket, New Delhi*, has been notified as “*Reserved Forest Land as per Notification in 1994 and 1996*”, and the occupants were directed to remove encroachments.

2. While issuing notice in these petitions on 20.10.2023, interim relief was declined, noticing the petitioners’ admitted position that the colony was unauthorised, and that they were unable to demonstrate any entitlement to occupation of the subject land. It remains the admitted position that the land in question vested in the *Gaon Sabha*, and was subject to orders of the Supreme Court dated 25.01.1996 and 13.03.1996 in *M.C. Mehta v. Union of India* [W.P.(C) 4677/1985]. The Court, *prima facie*, came to the conclusion that the occupation by the petitioners was in the teeth of the directions of the Supreme Court.

3. Learned counsel for the petitioners (except in W.P.(C) No. 14045/2023) submits that, during the pendency of the writ petitions, their premises were partially demolished.

4. Learned counsel for the respondents state that the petitions have been rendered infructuous, as the premises in question have already been demolished.

W.P.(C) 14037/2023 & W.P.(C) 14041/2023

5. Learned counsel for the petitioners submits that the petitioners in these two petitions were, in fact, in possession of the premises in *Khasra No. 135*, which, in any event, was not within the scope of the impugned notice dated 16.10.2023. He submits that the petitioners’ electricity and water connections were disconnected. The only relief now sought is for reconnection of electricity and water, as, according to the petitioners, the



impugned notice dated 16.10.2023 was not applicable to *Khasra No. 135* at all.

6. In these circumstances, learned counsel for the petitioners seeks permission to withdraw these writ petitions, with liberty to take alternative remedies, if aggrieved by any action taken by the statutory authorities.

7. The petitions, alongwith the pending applications, are dismissed as withdrawn, with liberty as aforesaid.

W.P.(C) 14036/2023, W.P.(C) 14038/2023 & W.P.(C) 14039/2023

8. Mr. Krishna Ballabh Thakur, learned counsel for the petitioners, states that, as the premises of the petitioners have been partially demolished, and these petitions have been rendered infructuous.

9. The petitions are dismissed as infructuous.

10. All pending applications are also disposed of.

W.P.(C) 14045/2023

11. There is no appearance on behalf of the petitioners, even on the second call. In fact, no appearance has been recorded on behalf of the present petitioners in the last four orders of this Court. The petitioners were represented only on the very first date of hearing, i.e., 20.10.2023.

12. In these circumstances, the writ petition, alongwith the pending application, is dismissed for non-prosecution.

PRATEEK JALAN, J

JULY 4, 2025

UK/SS/JM/