



2025:DHC:9623



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 31.10.2025**

+ W.P.(C) 16523/2025, CM APPL. 67697/2025 & CM APPL. 67698/2025

SEEMA DEVI & ORS.Petitioners

Through: Mr. Shubham Dhyani, Adv.
Mob: 8810625200
Email: sdhyani@gmail.com

versus

UNION OF INDIA & ANR.Respondents

Through: Mr. Amit Tiwari, CGSC and Ms. Ayushi Srivastava, GP with Mr. Ayush Tanwar, Mr. Arpan Narwal and Mr. Kushagra, Advs. for R-UOI
Mob: 9560036827
Mr. Ankur Mishra and Mr. Gurpreet Singh, Advs. R-2-Delhi Cantonment Board (Through VC)**CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J (ORAL)**

1. The present writ petition has been filed seeking quashing of the order dated 27th August, 2025, passed by the respondent no.1/General Officer Commanding-in-Chief, Western Command, Chandigarh, in *Appeal No. 06/2024*, titled as "*Shri Mukesh Tanwar Versus Delhi Cantonment Board*".
2. There is further prayer for setting aside the Demolition Notice dated 15th October, 2025 issued by the respondent no.2/Chief Executive Officer, Delhi Cantonment Board, with respect to the property of the petitioner, i.e.,

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property bearing No. CB-97, Village Naraina, Delhi Cantt-110010.

3. Learned counsel for the petitioners submits that the appeal of the petitioners herein has been dismissed by the adjudicating authority in an arbitrary and mechanical manner. It is submitted that the appellate authority failed to consider the request of the petitioners for regularization and composition, despite the fact that Section 248, proviso of the Cantonment Act, 2006, clearly gives the power to the respondent to regularize and compound the unauthorized construction.

4. After some hearing, learned counsel for the petitioners submits that without prejudice to the rights and contentions of the petitioners, the petitioners shall approach the respondent no. 2 for filing an application for regularization.

5. Issue notice. Notice is accepted by learned counsels for the respondents. Learned counsel appearing for the Delhi Cantonment Board (“DCB”), submits that in case any application for regularization is filed by the petitioners, appropriate orders shall be passed therein.

6. Accordingly, having heard learned counsels for the parties, it is directed as follows:

I. Liberty is granted to the petitioners to file an application for regularization of the construction in the property in question, within a period of four weeks, from today.

II. Upon the petitioners filing the regularization application, the same shall be considered by the respondent-DCB, in accordance with law.

III. At the time of considering the regularization application of the petitioners, the petitioners shall be granted opportunity of personal

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hearing.

IV. In case, any directions are issued by the DCB during the hearing of the application for regularization, the said directions shall be duly complied, with by the petitioners.

V. In case, the petitioners file the regularization application within a period of four weeks from today, no coercive action shall be taken against the property of the petitioners, during the pendency of the regularization application.

VI. In case the petitioners are aggrieved by any orders passed by the respondent-DCB in the regularization application, they shall have the liberty to seek their remedies, in accordance with law.

7. With the aforesaid directions, the present petition, along with the pending applications, is accordingly disposed of.

MINI PUSHKARNA, J

OCTOBER 31, 2025/SK

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