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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 04.11.2025**+ **W.P.(C) 16736/2025 & CM APPL. 68736/2025, CM APPL. 68737/2025****RAJBIR SINGH**

.....Petitioner

Through: **Mr. Rajan Malhotra, Mr. Vimal Rajj,
Advocates (M:9990666940)**

versus

DELHI CANTONMENT BOARD

.....Respondent

Through: **Mr. Tarveen Singh Nanda, Mr. Ankur
Mishra, Mr. Gurpreet Singh and Mr.
Nitish Dham, Advocates****CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J. (ORAL):**

1. The present writ petition has been filed seeking directions for setting aside the Demolition Notice dated 15th October, 2025.
2. Learned counsel for the petitioner submits that the petitioner is aggrieved by the impugned order dated 27th August, 2025, issued by the General Officer Commanding-in-Chief Western Command, Chandimandir in *Appeal No. 04 of 2024* and Demolition Notice dated 15th October, 2025 issued under Section 320 of the Cantonments Act, 2006.
3. It is submitted that the petitioner has been in possession of property bearing *No. V-15, Village Old Nangal, Delhi Cantonment-110010*, for the last 40 years and the same is used for residential purposes.
4. Learned counsel for the petitioner submits that the respondent-Delhi Cantonment Board ("DCB") had earlier issued a notice dated 16th

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September, 2002 under Section 185(1) of the Cantonments Act, 1924, which was never received by the petitioner. The same was challenged by the petitioner by filing a statutory appeal under Section 340 of the Cantonments Act, 2006.

5. It is submitted that by the impugned Order dated 27th August, 2025, the appeal of the petitioner has been dismissed and subsequently, Demolition Notice dated 15th October, 2025 has been issued, against which the present writ petition has been filed.

6. Learned counsel for the petitioner draws the attention of this Court to an order dated 25th September, 2025 passed by this Court in *W.P.(C) 14883/2025*, and submits that similar orders can be passed in the present petition also.

7. Learned counsel for the petitioner submits that the petitioner is willing to file an application for regularization before the respondent and may be allowed such liberty.

8. Issue notice. Notice is accepted by learned counsel for the respondent, who submits that construction has been carried out by the petitioner on defence land. However, he submits that appropriate orders shall be passed as and when such application for regularization is filed by the petitioner.

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

I. Liberty is granted to the petitioner 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 petitioner filing the regularization application, the same shall be considered by the respondent-DCB, in accordance with law.



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

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

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

VI. In case, the petitioner is aggrieved by any orders passed by the respondent-DCB in the regularization application, the petitioner shall have the liberty to seek his remedies, in accordance with law.

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

MINI PUSHKARNA, J

NOVEMBER 4, 2025

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