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

+ **W.P.(C) 834/2026 & CM APPL. 4095/2026**

RAM NARESH & ANR.

.....Petitioners

Through: Ms. Anupradha Singh, Ms. Saraswati
Km Jha and Mr. Rishi Nandy, Advs.

versus

DELHI DEVELOPMENT AUTHORITY

.....Respondent

Through: Ms. Kritika Gupta and Ms. Vidushi
Singhania, Advs.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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08.05.2026

1. This is a petition filed under Article 226 of the Constitution of India seeking the following prayers:-

“a. Pass a writ of Certiorari or any other appropriate writ, order(s) or direction(s) thereby, quashing the impugned orders dated 31.10.2025 passed by the Vice-Chairman, Delhi Development Authority;

b. Issue a writ of Mandamus directing the Respondent to grant rehabilitation/allotment to the Petitioners under the Delhi Slum & JJ Rehabilitation and Relocation Policy, 2015;

c. Issue a writ of Mandamus or any other appropriate writ, order or direction directing the Respondent to forthwith restore electricity supply to the petitioners’



dwelling units situated at Golden Park, Ram Pura, Delhi, and to ensure uninterrupted supply thereof during the pendency of the present proceedings;”

2. The brief facts of the case are that the petitioners are stating to be longstanding residents of Golden Park, Ram Pura, Delhi JJ Cluster.
3. It is stated that the petitioners have been residing in their respective Jhuggis continuously from a period much prior to cut-off dated 01.01.2015 which is prescribed under Delhi Slum JJ Rehabilitation and Relocation Policy, 2015.
4. Pursuant to the rehabilitation exercise undertaken by the DDA, official surveys were conducted by the DDA wherein the petitioners were found residing in their Jhuggis during the inspection.
5. A public notice dated 31.07.2023 was issued by the respondent/ DDA calling the JJ dwellers to attend a document submission camp held between 07.08.2023 to 25.08.2023. The petitioners participated in the said camp and submitted their documents. On 11.09.2024 the Eligibility Determination Committee rejected the claims of the petitioners for allotment under the Rehabilitation Scheme.
6. The petitioners filed their statutory appeals and *vide* orders dated 02.04.2025 and 09.04.2025 of the Appellate Authority and order dated 27.05.2025, the petitioners were found to be eligible for rehabilitation.
7. The Vice-Chairman DDA (“VC”) *vide* order dated 31.10.2025 rejected the petitioners’ claims despite the findings of the Appellate Authority. Hence, the present petition.
8. Ms. Singh, learned counsel for the petitioners, draws my attention to Annexure P8, being the copy of the electoral roll of 2019, which shows the



name of the petitioner No. 1 appearing at serial No.675 and hence, she states, that even as per the electoral roll the petitioner is eligible.

9. Per contra Ms. Gupta learned counsel for the respondent draws my attention to the counter-affidavit and more particularly Para 10 which reads as under:-

10. That the contents of paragraph 14 of the petition are incorrect and denied. It is denied that the sole ground on which the claim of Petitioner No. 1, Ram Naresh, has been repeatedly rejected, namely, that his name does not appear in the voter list of the year 2019—is factually incorrect and demonstrably false. It is denied that The Petitioner no.1's name is duly reflected at serial no. 675 in the Electoral Roll of the year 2019 for the concerned Assembly Constituency, and a certified copy of the said voter list is available and in possession of the Petitioner no.1. It is submitted that as per the letter from the "Office of the Electoral Registration Officer Assembly Constituency-16, Tri Nagar" dated 04-03-2025 the record of the petitioner 1 is as under:-

S. No.	Name of Claimant	EPIC No.	Address reflected in electoral roll with section number and name	Year of Electoral Poll
1.	Ram Naresh S/o Nathu Ram	DL/03/017/003031	H. No. 35 A 3-T Huts Golden Park, Ram Pura Delhi	2013 to 2018, 2020 to 2025

10. She states that in view of the categorical finding and the letter from the



office of Electoral Registration Officer Assembly Constituency-16, Tri Nagar dated 04.03.2025, it is clear that the petitioner No.1 was not residing at his Jhuggi in the year 2019.

11. However, with consent of parties and in the light of the fact that the Annexure P-8, being the copy of the electoral roll of 2019, was not put by the petitioner before the VC, it is directed that the VC shall hear the petitioner No.1 afresh, take into account all the documents filed by the petitioner No.1 and give petitioner No. 1 an opportunity of personal hearing to consider the petitioner No.1's entitlement under the Rehabilitation Scheme. The needful shall be done expeditiously and not later than four weeks from uploading of the order.

12. As regards the petitioner No.2 is concerned, the petitioner No.2 was considered eligible by the Appellate Authority based on the statement of petitioner No.2 as well as his family members.

13. However, in the impugned order dated 31.10.2025 passed by the VC it was observed that the petitioner No.2 was married in the year 2020 and before that was living jointly with his mother shows that claimant was not living in his own Jhuggi prior to 2015.

14. Ms. Gupta, learned counsel for the DDA, has handed over an affidavit dated 23.09.2024 confirming the same.

15. However, since it is not clear whether the VC has relied upon the affidavit dated 23.09.2024 or any other document to hold that the petitioner No. 2 was not staying in his Jhuggi prior to 2015, the matter needs reconsideration.

16. Further, Coordinate Bench of this Court in ***W.P.(C)3350/2023 and connected matters*** titled ***Smt. Seema Das v. Delhi Development Authority &***



Ors. has held that once the Appellate Authority has rendered a finding, the competent authority, VC in the present case, is not vested with any power to reconsider any individual's case and put forth a different finding than that of the Appellate Authority. The relevant paragraphs read as under:

“84. A decision in this category of cases would not take long for this Court to decide, since, a fortiori, as per the 2015 Policy, the decision of the Appellate Authority, when approved by the competent authority is final and conclusive. However, under the 2015 Policy, once a finding has been rendered by the Appellate Authority, this Court is unable to find any power vested with the Competent Authority to reconsider the entire gamut of individual case and come to a different finding than what has been rendered by the Appellate Authority Unhesitatingly, these are cases of patent jurisdictional errors on the part of the Competent Authority.

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86. Accordingly, W.P. (C) 9870/2023 and those connected matters forming **Category: Part-B** are hereby allowed. A writ of mandamus is issued, thereby directing the Competent Authority to review, reconsider or recall their impugned decisions rejecting the claims of the present set of petitioners within six weeks, as per the 2015 Policy, and to proceed with their relocation and rehabilitation in accordance with law. The writ petitions are disposed of accordingly.”

(emphasis in original)

17. In the present case, even after the Appellate Authority has considered



the case of the petitioner No. 2, the same was rejected by the VC. The same is in violation of the aforesaid dicta.

18. For the said reasons, it is directed that the VC shall also hear the petitioner No.2 afresh, consider all the documents including the affidavit of 23.09.2024 and shall also give personal hearing and thereafter, pass a speaking order.

19. In view of the above, the petition is allowed and the order of 31.10.2025 of the VC is hereby set aside.

20. The affidavit handed over is taken on record.

21. The petition is disposed of in aforesaid terms.

JASMEET SINGH, J

MAY 8, 2026/JYH