



\$~125

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 1003/2026 & CM APPL. 4873/2026, CM APPL. 4874/2026**
MADANGIR COOPERATIVE SOCIETY THROUGH ITS
PRESIDENTPetitioner

Through: Mr. Kanhaiya Singhal, Mr. Pulkit
Jolly, Mr. Naval Goel, Advs.

versus

DELHI DEVELOPMENT AUTHORITYRespondent
Through: Mr. Sanjay Katyal (SC for DDA) with
Mr. Abhay (DDA) with Mr. Nitish Kumar Danda,
Adv.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

%

29.01.2026

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

“a. Issue a Writ of Certiorari, Mandamus, and/or any other Writ or direction for quashing the Impugned Demolition Notice dated 14.01.2026 and for protection of the Petitioner’s peaceful possession over the subject land bearing Khasra No. 6/2, Madangir Village, New Delhi;...”

2. Mr. Singhal, learned counsel for the petitioner, states that in the present case, the respondent has issued a Demolition Notice dated 14.01.2026 for Khasra no. 6/2, Madangir Village, New Delhi, a part of which is in the possession of the petitioner since last 102 years. He further states that this land has never been put at the disposal of the respondent.

3. Mr. Katyal, learned standing counsel for the respondent, has drawn my attention to the notification dated 20.08.1974 to urge that the land is under the



occupation and control of the respondent and is required to be maintained as a green area. He further states that the petitioner is using the subject land as an encroacher, illegally and in an unauthorised manner.

4. I am of the view that the present writ petition raises disputed questions of fact being the area has been vested with the respondent, which cannot be adjudicated in a writ petition. Hence, the petitioner is to be relegated to filing a civil suit.

5. Mr. Singhal, learned counsel further requests that the respondent be restricted for a period of 10 days from taking any coercive action, for allowing the petitioner some time to approach the civil Court.

6. In this view of the matter, the present petition is disposed of with granting liberty to the petitioner to avail appropriate legal remedy in accordance with law.

7. Accordingly, the respondent shall not give effect to the Demolition Notice dated 14.01.2026 for a period of 10 days from today, i.e., till 09.02.2026.

8. The Court has not expressed any opinion on the merits/demerits of either party's case.

9. The original file was brought to the Court.

10. The writ petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

JANUARY 29, 2026/AS