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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2493/2026 & CM APPL. 12084/2026**

GULSHAN KUMAR (DECEASED) THROUGH LRS.....Petitioner

Through: Mr. Deepak Dewan, Ms. Muskan
Dewan and Mr. Ayush Dewan,
Advocates (through vc).

versus

DELHI DEVELOPMENT AUTHORITY AND ANRRespondents

Through: Ms. Chand Chopra with Mr. Punishk
Handa, Advocates.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
09.04.2026

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 226 and 227 of the Constitution of India seeks the following prayers:

“a) Allow writ petition under Article 226 & 227 of the Constitution of India, by issuing writ of Mandamus or any other appropriate Writ inter-alia quashing and set aside the impugned order dated 31.01.2026 passed by the Ld. Court of District & Sessions Judge, Tis Hazari Court in P.P. Act appeal no. 19/2018.

Any other or further order/(s) which this Hon'ble Court may kindly deem fit and proper under the facts and circumstances as well as the interest of justice in favour of the petitioner and against the respondent/s.”

3. The present petition has been filed challenging the order dated 31.01.2026 passed by the learned Principal District & Sessions Judge,



Central, Tis Hazari Courts in PPA No. 19/2018. The aforesaid appeal was filed challenging the order dated 30.07.2018 passed by Estate Officer-II D, Delhi Development Authority against the petitioner with respect to public premise bearing no. 3-A/112, Basti Reghar, Khasra No. 2592, WEA Karol Bagh, Delhi, 110005.

4. Learned Principal District and Sessions Judge disposed of the said appeal in the following terms:

“6. After having examined the record of the case, contentions of both the sides, facts and circumstances of the case, I am of the opinion that no interference with the order dated 30.07.2018 is called for. Since there is an admission on behalf of appellant that he is an unauthorised occupant and no rightful claim to the possession of the property in question is shown and also the assessment of damages has already been done, appellant is under obligation to vacate the premises. The Estate Officer has rightly ordered for eviction as well as damages. The charges sought by the department is as per rules and regulations.

7. In view of above observations, I find no illegality and impropriety in the order dated 30.07.2018. Appeal is accordingly dismissed.”

5. On 26.02.2026, when the matter was listed before this Court, learned counsel for the petitioner during the course of the arguments had submitted that the latter would vacate the aforesaid subject premises within a period 6 months from that day. In view of the same, an affidavit of undertaking was sought and it was directed that no coercive steps be taken against the petitioner. The said undertaking has been placed on record.

6. In these circumstances, the present petition is disposed of as not pressed. The petitioner shall abide by the undertaking given by him and shall vacate the subject premises on or before 26.08.2026. Till then, no coercive



steps be taken against the petitioner. In case, the petitioner does not abide by the said undertaking, the respondents shall be at liberty to initiate appropriate proceedings in accordance with law.

7. Pending application(s), if any, also stands disposed of.
8. Order be uploaded on the website of this Court *forthwith*.

AMIT SHARMA, J

APRIL 09, 2026/bsr/ah