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

+ **W.P.(C) 2964/2026 & CM APPL. 14326/2026**

MRS. MANJU & ANR.

.....Petitioners

Through: Mr. Anil kumar Gupta, Ms. Nancy
Gupta, Advs.

versus

DELHI DEVELOPMENT AUTHORITY AND ORS.

.....Respondents

Through: Ms. Latika Malhotra, Adv. for DDA

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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10.03.2026

CM APPL. 14327/2026

Exemption allowed, subject to all just exceptions.

The application is disposed of.

W.P.(C) 2964/2026

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

“a) Issue a Writ of Certiorari or any other appropriate writ, order, or direction quashing and setting aside the Show Cause Notice dated 30.01.2026 issued by the Respondent/DDA, being arbitrary, malicious, and violative of the Principles of Natural Justice; and

b) Issue a Writ of Mandamus or any other appropriate writ/ order/s directing the Respondents not to act upon the allegations contained in the said Show Cause Notice dated



30.01.2026 forthwith and to Withdraw any proceedings initiated for the cancellation of allotment of Flat No. E- 362; 3rd floor, Block-E, Pocket 14-A, Asha Kiran Apartments, Kalkaji, New Delhi- 110019, or in the alternative, in case the Respondents claim that the said flat stands already Cancelled than direct the respondents to re-allot the same flat to the petitioners; and

c) Issue a Writ of Mandamus/Prohibition/ or any other appropriate writ/orders/direction thereby restraining the Respondents, their officials, or agents from creating third party interest or from taking any coercive action, including dispossession or sealing of the Petitioner's premises, during the pendency of the present petition; and

d) Issue appropriate direction for an Independent Inquiry into the conduct of the concerned officials regarding the corruption and malpractice adopted by them in the allotment process complained of by the Petitioners; and

e) Grant an Ex-Parte Ad-Interim Stay on the operation of the impugned Show Cause Notice dated 30.01.2026 until the final disposal of this petition;

f) Cost of litigation may be awarded in favour of the petitioners and direct the respondents to pay the cost to petitioners. ...”

2. The case of the petitioners is that the petitioners were living in Jhuggi No. B-108, Navjeevan Camp, Govindpuri, Kalkaji, New Delhi-110019.



3. The Delhi Development Authority (“**DDA**”) i.e., respondent No. 1 launched a PMAY / In- Situ Slum Rehabilitation Scheme at Kalkaji area for the residents of the aforesaid camp. DDA conducted an E-Draw for allotment of EWS flats, wherein the name of petitioner No.1 came in UR category at Kalkaji, Pocket A-14, Flat no. E-362, Block-E.
4. On 23.12.024 a Demand-cum-Allotment letter was issued in the name of petitioners with the direction to deposit the cost of Rs. 1,47,400/-, which was deposited by petitioners. Subsequently, physical possession was handed over to the petitioners.
5. Later, officials of respondents wanted to conduct an inspection in the premises of the petitioners for seeing whether the premises are being used by the petitioners or have been sublet or rented out.
6. Subsequently, the respondents sent a show cause notice dated 30.01.2026 for cancellation of the allotted flat of the petitioners, which the petitioners replied *vide* letter dated 09.02.2026.
7. Hence, the present petition.
8. Mr. Gupta, learned counsel for the petitioners, states that the respondents misbehaved with the petitioners.
9. For the said reasons, issue notice.
10. Ms. Malhotra, learned counsel accepts notice on behalf of the DDA and states that the action of DDA official’s was in terms of DDA policy.
11. I have heard learned counsels for the parties.
12. The present writ petition seeks to challenge the show cause notice dated 30.01.2026.
13. The law with regard to maintainability of writs challenging show cause



notices is no longer *res integra*. It is settled law that writ petitions challenging show cause notices are not maintainable as the party receiving show cause notice shall first raise all objections before the authority issuing the said show cause notice. The Hon'ble Supreme Court in ***Union of India v. Kunisetty Satyanarayana, (2006) 12 SCC 28***, held as under:-

“14. The reason why ordinarily a writ petition should not be entertained against a mere show-cause notice or charge-sheet is that at that stage the writ petition may be held to be premature. A mere charge-sheet or show-cause notice does not give rise to any cause of action, because it does not amount to an adverse order which affects the rights of any party unless the same has been issued by a person having no jurisdiction to do so. It is quite possible that after considering the reply to the show-cause notice or after holding an enquiry the authority concerned may drop the proceedings and/or hold that the charges are not established. It is well settled that a writ petition lies when some right of any party is infringed. A mere show-cause notice or charge-sheet does not infringe the right of anyone. It is only when a final order imposing some punishment or otherwise adversely affecting a party is passed, that the said party can be said to have any grievance.

15. Writ jurisdiction is discretionary jurisdiction and hence such discretion under Article 226 should not ordinarily be exercised by quashing a show-cause notice or charge-sheet.

16. No doubt, in some very rare and exceptional cases the



High Court can quash a charge-sheet or show-cause notice if it is found to be wholly without jurisdiction or for some other reason if it is wholly illegal. However, ordinarily the High Court should not interfere in such a matter. ”

14. The present petition has been filed against the show cause notice dated 30.01.2026 and as such the present petition cannot be maintainable. Further, the petitioners have already responded to the impugned show cause notice.
15. Ms. Malhotra, learned counsel for DDA, states that the show cause notice has duly been adjudicated by the Vice-Chairman (VC), DDA and the official communication will be issued to the petitioners within one week from today.
16. Since the petition is challenging the show cause notice dated 30.01.2026 and as per the status report of the learned counsel for DDA, the same has already been adjudicated and a speaking order has already been passed, the petition has become infructuous.
17. The petitioners are at liberty to challenge the speaking order as and when the same is communicated to the petitioners.
18. The Court has not examined the merits and the demerits of the controversy.
19. The present petition is disposed of in aforesaid terms, along with pending applications if any.

JASMEET SINGH, J

MARCH 10, 2026/sp