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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 3556/2026 & CM APPL. 17190/2026**
SHRI SIDH SHANI DHAM WELFARE ASSOCIATION

.....Petitioner

Through: Mr. Ankit Jain, Sr Adv. with Mr.
Manik Dogra Sr. Adv. Mr. Abhishek
Kukkar & Mr. Mohit Kumar Adv.

versus

DELHI DEVELOPMENT AUTHORITY & ORS.Respondents

Through: Mr. Jivesh Kumar Tiwari (CGSC),
Ms. Samiksha (GP), Ms. Nandini
Aggarwal, Adv.
Ms. Manika Tripathy, SC for DDA,
Mr. Saksham Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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19.03.2026

CM APPL. 17189/2026

1. Exemptions allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 3556/2026

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

“(i) issue writ of mandamus or any other appropriate writ thereby quashing the speaking order dt. 23/02/2026 passed by the Respondent/DDA in compliance order dt. 14/5/2025 passed in of WP(C) No. 6236/2025;

(ii) issue writ of mandamus or any other appropriate writ thereby directing the Respondents to update and upload the image/map of unauthorized colony on DDA Portal (PM-Uday Cell) and extend the benefits of PM Uday Scheme to the



petitioner's colony (ELD-18, Sarai Kale Khan Village), falling in Khasra No. 96 & 97/2, Sarai Kale Khan Village, New Delhi;

(iii) Issue a writ of Mandamus or any other writ, order or direction in the nature thereof in favor of the petitioner association and against the respondents restraining them from excluding Petitioner Colony falling in Khasra No. 96 & 97/2, ELD-18, Sarai Kale Khan Village, New Delhi from the list of Unauthorized colonies as mentioned in Annexure-II of The National Capital Territory of Delhi (Recognition of Property Rights of Residents in Unauthorized Colonies) Regulations, 2019;

(iv) Issue a writ of Mandamus or any other writ, order or direction in the nature thereof in favor of the residents of petitioner association and against the respondents restraining them, their agent, representatives from dispossessing the residents of petitioner association and/or conducting illegal demolition upon the subject property falling in Khasra No. 96 & 97/2, ELD-18-Sarai Kale Khan Village, New Delhi.”

4. For the reasons stated in the petition, issue notice.
5. Ms. Tripathi and Mr. Tiwari, learned standing counsels, accept notice on behalf of the respondent Nos. 1-2 and 3 respectively.
6. The facts are that the petitioners are occupiers/resident of Khasra no. 96 and 97/2, ad measuring around 4 Bigha 13 Biswa situated in ELD-18, Sarai Kale Khan, Village, New Delhi.
7. According to the petitioner, the petitioner is one of the colonies entitled to be considered for regularization. In 2008, the colony applied for regularization and was granted a Provisional Regularization Certificate. Under the PM-UDAY Scheme introduced in 2019 to confer ownership



rights in unauthorized colonies, the petitioner colony was included, and the RWA applied with all required documents.

8. However, in 2022, DDA proposed removal of the colony from the list, alleging it was on NDMC land and mostly vacant. The petitioner contested this, stating the land is built-up and was wrongly mapped by clubbing it with adjacent NDMC land. Despite representations and committee discussions (2023–2024), and a direction to correct mapping through GSDL, no corrective action was taken.

9. Since the petitioner was being dispossessed, the petitioner file Writ Petition bearing no. 6236/2025 titled Shri Sidh Shani Dham Welfare Association v. DDA which was disposed of on 14.05.2025 directing the respondent No. 1 to pass a speaking order within six weeks of the representation filed by the petitioner..

10. The petitioner's representation dated 11.04.2025, reads as under:-



To,

Date: 11.04.2025

The Vice-Chairman
Delhi Development Authority (DDA)
Vikas Sadan, INA
New Delhi-110023

The Pr. Commissioner (PM-UDAY Cell)
Delhi Development Authority (DDA)
Vikas Sadan, INA
New Delhi-110023

Subject: Correction of Boundary of Unauthorized Colony and request consideration of colony (ELD-18, Sarai Kale Khan Village) under the PM-UDAY Scheme

Respected Sir,

I am writing on behalf of *Shri Sidh Shani Dham Welfare Association*, a registered society under the Societies Registration Act of 1860, concerning the boundary issue of our unauthorized colony (ELD-18, Sarai Kale Khan Village, New Delhi). This is in continuation of my previous applications dated 29 March 2023 addressed to the Commissioner (PM-UDAY Cell) and the Under Secretary, MoHUA, Government of India (**Annexure 1 Colly**).

I would like to draw your attention to the application (File No: No.FI/Misc./DBC/DDA/2022/55, Computer No. E-66150) dated 18/03/2024, addressed to the Deputy Secretary (Unauthorized Colonies Cell), Urban Development Department, Government of NCT of Delhi, by the Member Secretary (Boundary Committee, PM-UDAY, DDA) (Copy enclosed) regarding the same issue and kindly consider my instant application in continuation of my previous applications (File No: No.FI/Misc./DBC/DDA/2022/55, Computer No. E-66150) dated 18/03/2024). It is submitted that our case was previously considered by the PM-UDAY Cell, and some necessary steps had already been taken. This will be beneficial for both of us in tracking the progress of my case efficiently. Otherwise, submitting a fresh application would result in unnecessary delays, as the same steps would need to be repeated.



We, the residents of the colony, Village Sarai Kale Khan, residing on land measuring 4 Bighas and 13 Biswas, seek to bring the following critical points to your attention:

1. Eligibility for Regularization and Ownership Rights

- In response to the scheme advertised on 25.02.2008 for the regularization of unauthorized colonies, our colony applied in March 2008 and was found eligible. The *Provisional Regularization Certificate*, issued by the Urban Development Minister, NCT of Delhi, on 17.09.2008 (**Annexure 2**).
- The *Office Memorandum* issued by the Government of NCT of Delhi on 26.05.2014 categorized our colony under *Category-2* (colonies existing before 2002 with at least 50% built-up area in 2007 and not requiring NOCs from ASI, Forest, or DDA). Our colony was listed at Serial No. 93 in the memorandum (**Annexure 3 Colly**).
- The MCD survey (2008-09) confirmed that the built-up area of our colony was approximately 94% at that time. (**Annexure 4 Colly**).
- The GSDL map also confirmed that the built-up area of the aforementioned colony exceeds 50%, as estimated through visual interpretation of the 2014 satellite imagery (**Annexure 5**).

2. Amendment in Regulations for Regularization and Ownership Rights

- On 01.01.2015, DDA, with the approval of the Central Government, notified amendments to the 2008 Regulations for Regularization of Unauthorized Colonies. As per the amendment, colonies with more than 50% built-up area as on 01.06.2014 remain eligible for regularization (**Annexure 6 Colly**). Further, as per the Google Earth image from September 2014, the total built-up area of our colony was approximately 0.7 acres out of a total colony area of about 1.1 acres, which accounted for more than 60% of the built-up area at that time for the same google image is enclosed here with the application. (**Annexure 7 Colly**).
 - Despite DDA conducting demolitions in November 2014 based on a complaint, the colony still retained a built-up percentage above 50%, ensuring its continued eligibility under the amended regulations.
 - *Google Earth Imagery* dated 24.02.2014 and 29.08.2015 (enclosed) clearly shows that our colony was densely built-up, meeting the eligibility criteria.
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3. Incorrect Justification for Proposed Deletion

- PM-UDAY Cell, DDA, has proposed the removal of 53 unauthorized colonies from Annexure-II of the *National Capital Territory of Delhi (Recognition of Property Rights of Residents in Unauthorised Colonies) Regulations, 2019*. The letter to Under Secretary by DDA is annexed here. (**Annexure 8**).
- Our colony (ELD-18, Sarai Kale Khan Village) is included in this list at Serial No. 15, with the justification that it is situated on NDMC land and largely vacant. However, this claim is factually incorrect.
- The *Land Management Department (LM) of DDA* and a *physical survey by DDA officials in 2011*(check) (**Annexure 9 Colly**) confirm that our colony is located on *DDA land, and not on NDMC land*.
- An *RTI response* dated 2 March 2010 (*File No. 649/RT/LM/SEZ/09/50*) from the DDA Land Management Department confirms that our colony is situated on *Khasra No. 96 and 97/2 of Village Sarai Kale Khan* which clearly shows that NDMC park does not fall in this khasra and this belongs to the colony (**Annexure 10**).

4. Request for Reconsideration

In light of the above facts, we respectfully urge the DDA to:

- **Re-examine our case** in view of the documentary evidence enclosed.
- **Ensure the inclusion of our colony (ELD-18, Sarai Kale Khan Village) under the PM-UDAY Scheme** so that residents may avail the benefits of the scheme.

We request your prompt intervention in this matter and a favorable decision that upholds the rights of our residents.

11. Additionally, the petitioner also relies upon the letter dated



13.10.2025 issued by the Ministry of Housing & Urban Affairs, which reads as under:-

No. 9/2/2015-DD-VI(Part-1)
Government of India
Ministry of Housing & Urban Affairs
(Delhi Division)

GPOA 2, K G Marg, New Delhi
Dated the 13.10.2025

To

The Vice Chairman,
Delhi Development Authority (DDA),
Vikas Sadan, New Delhi-110023

Subject: Amendment in Annexure-II of the National Capital Territory of Delhi (Recognition of Property Rights of Residents in Unauthorised Colonies) Regulations, 2019 - reg.

Sir,

I am directed to refer to DDA letter no LM/ PM/ 0003/2025/UDAY/POL-O/o DD(PM-UDAY HQ-II)/281 dated 20.08.2025 on the subject mentioned above.

2 It is stated that the proposal of the DDA for amendment in Annexure-II of the National Capital Territory of Delhi (Recognition of Property Rights of Residents in Unauthorised Colonies) Regulations, 2019 has been examined and following observations are made:

(i) This is to mention that as per guidelines, the task of delineation of boundaries of UCs has to be completed by DDA in consultation with Revenue Deptt, GNCTD and Surveyor General of India. It is not clear whether in finalising the instant proposal, the consultation with these authorities have been made or not.

(ii) DDA vide letter dated 18.09.2019 has stated that SOP for delineation of boundaries of UCs was circulated vide letter No. F.1(1)CUCC/ CLM/ DDA/ 019/Pt./01 dated 26.08.2019. However, the same has been modified by the Hon'ble Vice-Chairman, DDA and modified SoP was circulated to be followed for delineation of boundaries of UCs. It is not clear whether the revised SOP has been approved by Revenue deptt, GNCTD and Surveyor General of India.

(iii) DDA has stated that the instant proposal has been submitted with the approval of the Competent Authority. Here, the word 'Competent Authority' is ambiguous and need to be elaborated. Also, DDA needs to ascertain if the above proposal should be recommended through Authority resolution.

(iv) DDA has submitted that 53 colonies have been found not in conformity with the Regulations and SOP dated 18.09.2019 for delineation of boundaries of unauthorized colonies. DDA has submitted a list of these 53 unauthorised colonies along with the reason for proposed deletion. The reasons specified by DDA are very concise and needs



to be elaborated. DDA has also not provided the instructions/ guidelines having provision for deletion of 53 unauthorised colonies due to the reason specified by the DDA.

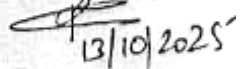
(v) DDA has stated that colony at S.No 1408, i.e., Guru Nanak Industrial Area, Main Bawana Rd., Samaipur, Delhi-42 has been cancelled by GNCTD. DDA has neither submitted the reason for cancellation nor submitted the documents submitted by GNCTD in this regard.

Further, DDA is also requested to link the point of SoP for deletion of each colony clearly in the proposal. Proposal for deletion of 53 UCs may be recommended by the concerned Committee constituted for this purpose.

3. In view of the above, DDA is requested to re-submit the proposal alongwith the comments on observations above.

This issues with the approval of Competent Authority.

Yours faithfully,


13/10/2025

(R.B. Meena)

Under Secretary to the Govt. of India

12. The representation of the petitioner was considered and disposed of by a speaking order dated 23.02.2026 which reads as under:-



ANNEXURE-P1

7

DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE DIRECTOR (PM-UDAY)
D- BLOCK, VIKAS SADAN, L.N.A NEW DELHI-110023

File No.: LM/PM/0003/2025/UDAY/LGL-AD(PM-UDAY/PC 104/65

E.Comp. No.: 94993

Date: 23/02/2026

SPEAKING ORDER

WHEREAS, the Hon'ble High Court of Delhi, vide its order passed in W.P. (C) No. 6236/2025 titled *Sh. Sidh Shani Dham Welfare Association vs. Delhi Development Authority & Anr.*, directed the Delhi Development Authority (DDA) to treat the writ petition as a representation and to dispose of the same by passing a reasoned and speaking order with regard to the inclusion of the unauthorised colony, namely ELD-18, Sarai Kale Khan Village, under the PM-UDAY Scheme.

WHEREAS, as per the land records available with DDA, the land bearing Khasra No. 96 (4-03) and 97/2 (0-10) of Village Sarai Kale Khan has been acquired vide Award No. 154/86-87 under the provisions of the Land Acquisition Act. The physical possession of the said khasra numbers was handed over to DDA by the Land Acquisition Collector, Land & Building Department, GNCTD, on 22.09.1986, and thereafter the said land was transferred to the Group Housing Residential Scheme (CD-II) on 06.10.1986.

WHEREAS, under the Regularisation of Unauthorised Colonies in Delhi Regulations, 2008, the cut-off date for existence of unauthorised colonies for consideration of regularisation was 31.03.2002, and such colony/habitation was required to have more than 50% plots built up at the time of notification of the Regulations, i.e. 24.03.2008. Vide amendment to the said Regulations dated 01.01.2015, the cut-off dates were revised, namely, existence of the colony as on 01.06.2014 and 50% development of the colony as on 01.01.2015, as the revised eligibility criteria.

AND WHEREAS, in exercise of the powers conferred under Section 57 of the Delhi Development Act, 1957, the National Capital Territory of Delhi (Recognition of Property Rights of Residents in Unauthorised Colonies) Regulations, 2019 were notified on 29.10.2019, pursuant to which the PM-UDAY (Prime Minister – Unauthorised Colonies in Delhi Awas Adhikar Yojana) Scheme was launched. Under the said Regulations of 2019, "Unauthorised Colony" has been defined as regulation 2(g) as a colony or development comprising of a contiguous area, where no permission has been obtained for approval of layout plan or building plans and has been identified for regularisation of such colony in pursuance to the notification number S.O. 683(E) dated the 24th March, 2008 and includes colonies as identified by the Delhi Development Authority under these regulations as specified in Annexure II (1797 colonies). In terms of regulation 7 of the Regulations of 2019, 69 affluent Unauthorised Colonies enlisted at Annexure-I of the said Regulations are excluded from the ambit of the benefits under PM-



UDAY and in remaining 1731 unauthorised colonies the Scheme is applicable, and DDA is the nodal agency for implementation of PM-UDAY.

WHEREAS, the delineation of boundaries of unauthorised colonies was carried out by a Boundary Delineation Committee specially constituted for considering boundary-related issues of unauthorised colonies comprising representatives from the Survey of India (Sol), Government of NCT of Delhi, and DDA, in accordance with the Standard Operating Procedure issued vide letter No. F.1(1) CUCC/CLM/DDA/2019/Pt./07 dated 18.09.2019.

WHEREAS, as part of the boundary delineation process, satellite imagery of the year 2015, as per Gazette Notification S.O.(E) dated 01.01.2015, was utilised to identify areas having at least 50% built-up structures as on 01.01.2015, within the layouts submitted by the Resident Welfare Associations to GNCTD.

WHEREAS, the colony Regd. No. 18-ELD, Sarai Kale Khan Village, was examined by the Boundary Delineation as per the aforementioned Standard Operating Procedure, and the Committee recommended deletion of the said colony from the list of unauthorised colonies, as the colony was found to be mostly vacant and did not fulfil the criteria as laid down in the said SOP.

AND WHEREAS, as recommended by the Boundary Delineation Committee, DDA (PM-UDAY Cell) proposed to the Ministry of Housing and Urban Affairs (MoHUA) for deletion of 53 unauthorised colonies, including Colony Regd. No. 18-ELD, Sarai Kale Khan Village, from Annexure-II of the National Capital Territory of Delhi (Recognition of Property Rights of Residents in Unauthorised Colonies) Regulations, 2019. The Ministry, while considering the matter, has sought certain clarifications, which are presently under process.

NOW THEREFORE, in view of the facts on record, the aforesaid applicable provisions and the recommendations of the duly constituted Boundary Delineation Committee, the representation / writ claims of the applicants seeking inclusion of Colony Regd. No. 18-ELD, Sarai Kale Khan Village, under the PM-UDAY Scheme are hereby rejected for the reasons stated hereinabove.

This order is passed in compliance with the directions of the Hon'ble High Court of Delhi and with approval of the Competent Authority.

Director (PM-UDAY)

Copy to:

1. PS to Commissioner (PM-UDAY), DDA for kind information.
2. General Secretary, Shri Sidh Shani Dham Resident Welfare Association, Sarai Kale Khan

Director (PM-UDAY)



13. A perusal of the speaking order shows that even though the respondent No. 1 has captured the history in the recital, the consideration of the representation is cryptic and is in the last para which reads as under:-

“NOW THEREFORE, in view of the facts on record, the aforesaid applicable provisions and the recommendations of the duly constituted Boundary Delineation Committee, the representation/writ claims of the applicants seeking inclusion of Colony Regd No. 18-ELD, Sarai Kale Khan Village, under the PM-UDAY Scheme are hereby rejected for the reasons stated hereinabove.”

14. The same to my mind, does not deal with the specific contentions of the petitioner raised in their representation dated 11.04.2025 which was included in the writ petition. I am of the view that the reasons provided are cryptic and do not deal with the specific points mentioned in the representation such as amendment in regulations for regularisation and ownership rights and incorrect justification for proposed deletion.

15. Accordingly, each and every contention raised by the petitioner must be dealt with by application of mind and analysis based on documents filed by the petitioner and/or in possession of the respondent No. 1.

16. Since the same has not been done, consequently the order of 23.03.2026 is hereby set aside and the respondent No. 1 is granted four weeks to consider the present petition as a representation, and the speaking order shall respond to every material and ground raised by the petitioner.

17. Prior to passing the order, two representatives of the petitioner familiar with the fact will be heard by the concerned officer on 02.04.2026



at 11:30 pm at the office of Director, PM Uday, D-Block Vikas Sadan, INA, New Delhi-23.

18. In case the said date is not convenient the officer shall inform the petitioner through email.

19. The petition is disposed of in the aforesaid terms.

JASMEET SINGH, J

MARCH 19, 2026/NG



This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 30/03/2026 at 17:53:54