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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4634/2026 & CM APPL. 22597/2026**
BHAGWAN DASS ARORA

.....Petitioner

Through: Appearance not given

versus

DELHI DEVELOPMENT AUTHORITY & ANR.

.....Respondents

Through: Mr. R.K. Dhawan (SC), Ms. Nisha
Dhawan, Mr. Pawan Karan Deo, Mr. V.K. Teng,
Advs. for R1/DDA

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **08.04.2026**

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

“a. Issue an appropriate writ, order or direction thereby quashing and setting aside the impugned Order dated 24.03.2026 passed by Respondent No. 2;

b. Issue an appropriate writ, order or direction thereby directing the Respondents to grant a fair and effective opportunity of hearing to the Petitioner and to consider his reply and documents before taking any adverse act. . .”

2. The case of the petitioner is that the petitioner is 86 years old and is in peaceful and continuous possession of Khasra No. 588, situated at Village Maidan Garhi, New Delhi (**“subject property”**).



3. The respondent No. 2 issued a Notice dated 05.03.2026, stating that petitioner is in unauthorized occupation/ encroachment upon land forming part of the subject property and called the petitioner to come for a hearing on 23.03.2026.
4. The son of the petitioner appeared before respondent No. 2 on 23.03.2026 and informed the respondent No. 2 that the petitioner is 86 years old, suffering from old age problems and was finding it difficult to arrange the documents and hence, requested for extension for submitting the desired documents and sought time till 30.03.2026.
5. Despite the same, the impugned order dated 24.03.2026 has been passed directing demolition. Hence, the present petition.
6. For the said reasons, issue notice.
7. Mr. Dhawan, learned standing counsel accepts notice on behalf of respondent No.1 and states that adequate time is given in the notice dated 05.03.2025 and hence, the petitioner should have got the documents.
8. I have heard learned counsels for the parties.
9. I am of the view that the impugned order suffers from the vice of denial of Principles of Natural Justice. The removal of unauthorised construction though is the right of the respondents for removing encroachment/ unauthorised construction but the Principles of Natural Justice is the golden thread that runs through all these actions.
10. Once the petitioner has made a request of seeking a week's accommodation, there was no requirement of tearing hurry to pass the impugned order. The impugned order has been passed without giving an effective opportunity to the petitioner to present his case.



Additionally, the notice categorically states that public hearing is on 23.03.2026, hence, there was no requirement of the petitioner to go before the said date as that was the date given in the notice.

11. Hence, the impugned order dated 24.03.2026 is set aside.
12. Mr. Dhawan, learned standing counsel for the respondent No.1, states that petitioner may appear before the concerned officer with documents and a fair hearing shall be granted.
13. The petitioner/representative shall appear before Delhi Development Authority, Office of the Dy. Director (Hort.), BDP/SE, Aravali Biodiversity Park, Vasant Kunj, New Delhi, 110070, on 15.04.2026 at 11:30 a.m. with all documents and thereafter, a speaking order shall be passed.
14. With these directions, the present petition is allowed and disposed of.
15. Consequently, pending applications, if any, are also disposed of.
16. *Dasti.*

JASMEET SINGH, J

APRIL 8, 2026 / (MS)