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

+ **W.P.(C) 4834/2021 & CM APPL. 2078/2026**

JEET PAL SINGH

.....Petitioner

Through: **Mr. Rajiv Bajaj, Advocate.**

versus

UNION OF INDIA

.....Respondent

Through: **Mr. Om Prakash, Mr. Chandresh Pratap, Ms. Swati Mishra, Mr. Prince Yadav, Ms. Komal Yadav and Ms. Ankita Yadav, Advocates for Railways.**
Mr. Siddhant Nath, Standing Counsel for MCD.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
19.03.2026

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1. The present writ petition has been filed seeking the following reliefs:

A. Issue a Writ of Certiorari or any other appropriate Writ/Order/Direction, quashing the order/action of the Respondent by which the Respondent has illegally trespassed the land/property of the Petitioner being T-16-B, Near Karnal level Crossing, Old Rohtak Road, Delhi-110006 admeasuring about 104 Sq. yards. and further restrain the Respondent from continuing/extending the same over to the adjacent properties being T-16-A and plot bearing no. 7300A, Beri Wala Bagh, Near Railway over bridge, Old Rohtak Road, Delhi-110006 admeasuring about 104 Sq. yards, 150 Sq. yards and 442 Square Yards respectively belonging to the Petitioner and his family;



Road, Delhi-110006 admeasuring about 104 Sq. yards, 150 Sq. yards and 442 Square Yards respectively belonging to the Petitioner and his family;

2. It is the case of the petitioner that the petitioner's father along with his family has been residing in the property bearing no.T-16-A, Near Karnal level Crossing, Old Rohtak Road, Delhi-110006 ('subject property') since 1947.
3. A suit for injunction was filed by the father of the petitioner against the Railway Authorities being Civil Suit No.312/1992 which was decreed on 29th March, 1993, on the basis of the statement issued on behalf of the Railways that the Railways shall not dispossess the plaintiff from the premises except in due course of law.
4. It appears that, subsequently the Railways initiated proceedings under the Public Premises Act, 1971 to recover possession of the subject property from the petitioner and an eviction order was passed on 14th June, 2011, against the petitioner by the Estate Officer, directing the petitioner to vacate the subject property.
5. The petitioner took up the matter in appeal before the District Judge. The appeal of the petitioner was allowed *vide* judgement dated 21st August 2012 and the matter was remanded back to the Estate Officer for a fresh consideration.
6. It appears that no progress had been made in the said proceedings initiated under the Public Premises Act, 1971 since then.
7. It is the contention of the petitioner that the petitioner's property was encroached by the Railway Officials which led to filing of the present writ petition.



8. Counter-affidavit was filed on behalf of the Railways wherein it is stated that the subject land belongs to the Railways and the proceedings under Public Premises Act, 1971 are still pending.
9. Subsequently, CM APPL.46833/2025 was filed on behalf of the respondent-MCD to get impleaded in the present writ petition which was allowed *vide* order dated 29th October, 2025.
10. MCD moved an application being CM APPL.2078/2026 seeking vacation of the interim *status quo* order passed by this Court on 3rd May, 2023.
11. In the application filed on behalf of the NDMC, it is stated that the subject land has been transferred to MCD by the Railway Authorities for facilitating the construction of the projects.
12. In the communication dated 12th September, 2022 sent by the Railways to MCD, it has been stated that the subject land was illegally encroached by the petitioner.
13. Having heard the counsel for the parties, it is clear that MCD, in respect of the subject property, is the successor-in-interest of the Railways. Therefore, MCD shall also be bound by the previous orders/ Court directions that have been passed against the Railways.
14. Accordingly, the present writ petition is disposed of while directing that the respondents shall not dispossess the petitioner from the subject property except in accordance with law.
15. All rights, contentions and legal remedies of the parties remain open.

AMIT BANSAL, J

MARCH 19, 2026

Jk