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

+ **W.P.(C) 5726/2026**

MUKESH KUMAR

.....Petitioner

Through: Mr Anshul Yadav & Mr Tushar
Mittal, Advocates.

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Ms Avni Singh(Panel Counsel-
GNCTD) with Mr Vaibhav Sharma,
Advocates.
Mr. Manish Rohilla SPC, Sarthak
Rana (GP) -UOI Along with Mr.
Pradeep Kumar Yadav, Advocate for
R-2.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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28.04.2026

CM APPL. 28153/2026 (EXEMPTION)

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

W.P.(C) 5726/2026 and CM APPL. 28152/2026

3. The petition is for the following reliefs:

(a) Issue a writ of Mandamus directing each of the Respondents, their



officials, agents, servants and any other persons acting on their behalf to; be forthwith restrained from taking any coercive or dispossessionary action against the Petitioner; recognize and protect the Petitioner's lawful possession of Plot No. 299, measuring 120 Sq. Yards in Village Wazirabad, Delhi, originally allotted under the 20 Point Programme and subsequently re-allotted in 1983; and not to dispossess the Petitioner except strictly in accordance with due process of law as the same would be violative of Articles 14, 21 and 300A of the Constitution of India;

(b) Issue a writ of mandamus; quashing and setting aside the demarcation exercise conducted by the respondent No. 6 in or around June-July 2022, as well as all consequential actions, including proposed demolition and coercive measures, being violative of the Petitioner's constitutional and legal rights;

(c) Issue an appropriate writ, order or direction directing the respondent No. 4 (IRRIGATION & FLOOD CONTROL DEPARTMENT) and to maintain status quo with respect to the possession, nature and character of the property in question and the entire locality during the pendency of the present writ petition;

(d) Issue an appropriate writ, order or direction directing the Respondents to produce before this Hon'ble Court the entire original record pertaining to allotment, re-allotment, acquisition proceedings, demarcation and proposed demolition, including the award file for Award No. 45, the allotment registers for the 20 Point Programme for Village Wazirabad (1975-76) and the Demarcation Report and Survey Data (2022).

(e) Issue any other or further writ, order or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case in favour of the Petitioner and against the respondents.

4. The petition assails the action of the respondent authorities, whereby, demolition of certain properties located in Village of Wazirabad, Delhi is being carried out allegedly without any notice.

5. The petitioner claims to be a beneficiary of Sovereign Welfare Scheme under the head "20 Point Programme" wherein, a parcel of land measuring approximately 146 Bighas 12 Biswas situated in Khasara Nos. 64,65,66,67 of Village Wazirabad, Delhi was allotted by the Government to landless persons belonging to weaker sections of society, including Harijans.

6. It is the case of petitioner that pursuant to the said scheme, individual residential plots were demarcated and handed over to eligible beneficiaries,



including petitioner's late father who was allotted Plot No. 299, measuring 120 Sq. Yards in Village Wazirabad. The allotment was followed by the delivery of actual physical possession.

7. It is submitted that time and again the legitimacy of these allotments were made evident by various official communication and by respondent authorities themselves during pendency of civil suits titled as ***Ganga Prashad v. Union of India & Ors.***¹ and ***Jai Singh v. Union of India & Ors.***².

8. The grievance of the petitioner is that despite aforesaid legal background the respondent authorities have initiated demolition of residential properties under the name of “*Re-demarcation exercise*” conducted around June – July in year 2022 allegedly without notice.

9. Conversely, the respondent contends that the land in question has already been acquired.

10. The nature of the controversy involved in the present matter entails adjudication of disputed questions of fact, particularly with regard to title, possession, validity of allotment, and the legality of the acquisition and subsequent demarcation proceedings. Determination of such issues would require leading of detailed oral as well as documentary evidence, including examination and cross-examination of witnesses and scrutiny of original records. The same may not be appropriate to be adjudicated in writ jurisdiction. Those aspects will have to be looked into by the Court of competent jurisdiction.

11. With that liberty and rendering no finding on merits, the petition

¹ Civil Suit No. 132/1989

² Civil Suit No. 134/1989



stands disposed of. Liberty is granted to the petitioner to file a civil suit.

PURUSHAINDRA KUMAR KAURAV, J

APRIL 28, 2026

Aks/ss