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

+ **W.P.(C) 5933/2026 & CM APPLs. 29171-29172/2026**

HASEEB KHAN AND ORS

.....Petitioners

Through: Mr. Gautam Narayan, Senior Advocate with Mr. Krishna Kumar Singh, Ms. Yashaswi S.K. Chocksey and Mr. Vijay Rajput, Advocates.

versus

GOVT. OF NCT OF DELHI AND ORS

.....Respondents

Through: Mr. Shashi Pratap Singh and Ms. Laqshyaa Saluja, Advocates for R-2. Ms. Avshreya Pratap Singh Rudy, CGSC with Ms. Usha Jamnal, Ms. Nyasa Sharma and Mr. Ankit Khatri, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

29.04.2026

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1. The present petition assails order dated 24th April, 2026 bearing No. SDM/BDR/STF/Demolition/2026/544-549 issued by the Sub-Divisional Magistrate (Badarpur), District South-East, Revenue Department, GNCTD, acting as Convenor of the Special Task Force, whereby demolition of certain structures situated at Village Jaitpur, New Delhi, on land comprised in Khasra Nos. 757, 770, 781 (part), 782 (part) and 768, falling within the revenue estate of Village Jaitpur, Tehsil Kalkaji, P.O. Badarpur, New Delhi, has been directed.

2. Mr. Gautam Narayan, Senior Counsel for the Petitioners, *inter-alia*,



submits that the impugned action is arbitrary, illegal and violative of the principles of natural justice. It is contended that no prior notice or opportunity of hearing was afforded to the Petitioners before issuance of the impugned demolition order. Reliance is also placed on Section 3 of the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011, to contend that *status quo* in respect of existing structures is required to be maintained, and therefore, coercive action by way of demolition is impermissible.

3. Mr. Shashi Pratap Singh, counsel appearing for Respondent No. 2/SDM (Badarpur), has handed over across the board a compilation of documents which includes a restraintment order dated 2nd April, 2026 issued prior to the impugned notice, as well as photographs of the site. The photographs, along with GPS-enabled location details, are relied upon to demonstrate that the structures in question are unauthorised and that the restraintment order was duly affixed at the site. A copy of the aforesaid compilation, including the restraintment order, has also been supplied to counsel for the Petitioners and is taken on record.

4. Mr. Singh further submits, on instructions, that although certain structures on the subject land may be in the nature of dwelling units, no demolition action under the impugned order is proposed in respect thereof. He clarifies that the impugned action is confined to removal of boundary walls and similar structures raised to enclose parcels of land comprised in the aforesaid khasra numbers.

5. In this regard, photographs forming part of the record, particularly at pages 78, 79, 80, 81 and 83, as also structures appearing at pages 82 and 84, on the face of it, depict structures in the nature of dwelling units. On the



query of the Court, Mr. Singh states that no coercive action is contemplated against such inhabited structures. Insofar as any such dwelling units are concerned, he states that appropriate action, if required, shall be taken by the competent authority, including the Municipal Corporation of Delhi, strictly in accordance with law. The statement so made is taken on record. The photographs placed on record, for the purposes of illustration, are reproduced hereunder:











6. In view of the aforesaid clarification, this Court finds no ground to interdict the impugned order. However, it is directed that the demolition action pursuant to the impugned notice shall remain confined strictly to boundary walls or similar enclosing structures raised on land comprised in Khasra Nos. 757, 770, 781 (part), 782 (part) and 768, and shall not extend to any structures which are in the nature of dwelling units.

7. It is further clarified that, in the event any action is initiated against structures which are dwelling units, the Petitioners shall be at liberty to avail appropriate remedies in accordance with law. It is also clarified that the Petitioners shall be at liberty to challenge the restraintment order dated 2nd April, 2026, if so advised.

8. With the above direction, the present petition is disposed of.

SANJEEV NARULA, J

APRIL 29, 2026/as