



\$~9

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 8332/2023&CM APPL. 31898/2023

RAJIT KUMAR

.....Petitioner

Through: Ms. Mansi Chadha, Advocate; Ms.
Anu Monga Advocate & Mr. Yash Agarwal
Advocate

versus

DELHI DEVELOPEMENT AUTHORITY AND ANR. ...Respondent

Through: Mr. Arun Birbal, SC for DDA with Mr.
Ajay Birbal Advocate for R1
Ms. Ekta Mehta, Ms. Zainab Khan & Mr. Antarik,
Advs. for R2

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

13.01.2026

%

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 declaring that circular no. F/I/0026/2019/CORD/-Housing (Coordn.)/1365 dated 24.09.2019 issued by Respondent No. 1/ Delhi Development Authority is not applicable on Respondent No. 2/ Vasant Vihar Welfare Association;

b. Issue an appropriate writ, order or direction in the nature of Mandamus or any other appropriate writ, order or direction directing the Respondent no. 1/ Delhi Development Authority to issue a clarificatory circular/ notice on the non-applicability of the circular no. F/I/0026/2019/CORD/-Housing (Coordn.)/1365 dated 24.09.2019;

c. Issue an appropriate writ, order or direction in the nature of Certiorari or any other appropriate writ, order or direction



quashing the Resolution dated 28.02.2021 passed by Respondent No. 2/ Vasant Vihar Welfare Association (on the basis of circular no. F/I/0026/2019/CORD/-Housing (Coordn.)/1365 dated 24.09.2019) (issued by Respondent No. 1 / Delhi Development Authority) to the extent it amends Clause 1 of Part II of the rules of Respondent No. 2/ Vasant Vihar Welfare Association;

d. Consequently, issue an appropriate writ, order or direction in the nature of Certiorari or any other appropriate writ, order or direction quashing the amendment to Clause 1 of Part II of the rules of Respondent No. 2/ Vasant Vihar Welfare Association as it was based on the illegal application of circular no. F/I/0026/2019/CORD/-Housing (Coordn.)/1365 dated 24.09.2019 issued by Respondent No. 1 / Delhi Development Authority. . . . ”

2. The grievance of the petitioner is based on a note of proposal and more particularly note on proposal of annual subscription of the last paragraph which reads as under:-

“NOTE ON PROPOSAL OF ANNUAL SUBSCRIPTION

.

A precedent was set in the Annual General Meeting in 2009 when the General Body approved a monthly subscription of Rs 300/- per month. Over and above this, the Delhi Development Authority has issued orders on 24 September 2020 that it is mandatory for all residents to become members of the RWA and pay a monthly subscription. This would necessitate an amendment in Clause 1 of our bye-laws and articles. That is proposed along with this proposal.”



3. It is stated by Ms. Monga, learned counsel for the petitioner that there is no circular of DDA dated 24.09.2020 which states that it is mandatory for residents to become members of the RWA and to pay a monthly subscription.
4. The said stand is clarified by Mr. Birbal, learned Standing Counsel for DDA stating that there is no such circular. In this regard, an affidavit has already been filed that the circular is not applicable to the RWA.
5. For the said reasons and in view of the stand of the DDA, the petition is allowed holding that circular No. F/1/0026/2019/CORD/-Housing (Coordn.)/1365 dated 24.09.2019 issued by the DDA is not applicable to the respondent No.2/Vasant Vihar Welfare Association.
6. With regard to prayer 'b', this Court in a writ jurisdiction cannot issue any direction to the DDA to issue a clarificatory certificate.
7. With regard to prayers 'c' and 'd', the same are concerning the private disputes between the petitioner and the respondent No.2 and cannot be a subject matter of this writ petition. The said prayers additionally require adjudication of disputed questions of fact which require evidence. The petitioner is free to file a civil suit in this regard, if so advised.
8. Additionally, Ms. Mehta, learned counsel for the respondent No.2 states that *de hors* the circular, the respondent No.2 can charge monthly/annual subscription from its members.
9. Without expressing any opinion on the said statements, the petition is disposed of in the above terms.

JASMEET SINGH, J

JANUARY 13, 2026 / (MS)