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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6817/2025, CM APPL. 30909/2025 and CM APPL. 32144/2025**

SMT MOOTHU WALI & ANR.

.....Petitioners

Through: Ms. Rupali Francesca Samuel,
Advocate with Ms Aditi Soni,
Advocates

versus

DELHI URBAN SHELTER IMPROVEMENT BOARD (DUSIB)
THROUGH THE CHIEF EXECUTIVE OFFICER & ORS.

.....Respondents

Through: Ms Nitika Bhutani, Advocate for R-
GNCTD.

Mr Parvinder Chauhan Senior
Advocate with Ms.Meenakshi
Advocate and P.K Jha Pr. director and
Pranav siroha LA for R-DUSIB.

Ms. Deeksha L. Kakar, Ms.
Prabhsahay Kaur, SC, advocates with
Mr.Adv. Rashneet Singh, Mr. Aditya
Verma, Ms. Anmol Kaur, Advocates
for R-DDA.

58

+ **W.P.(C) 7699/2025 and CM APPL. 34198/2025**

SMT ANJALI & ANR.

.....Petitioners

Through: Appearance not given.

versus

DELHI URBAN SHELTER IMPROVEMENT BOARD & ORS.

.....Respondents

Through: Ms Nitika Bhutani, Advocate for R-
GNCTD.



Mr Parvinder Chauhan Senior Advocate with Ms.Meenakshi Advocate and P.K Jha Pr. director and Pranav siroha LA for R-DUSIB.
Ms. Deeksha L. Kakar, Ms. Prabhsahay Kaur, SC, advocates with Mr.Adv. Rashneet Singh, Mr. Aditya Verma, Ms. Anmol Kaur, Advocates for R-DDA.

59

+ **W.P.(C) 7782/2025 and CM APPL. 34412/2025**

P KANNAN

.....Petitioner

Through: Appearance not given.
versus

DELHI URBAN SHELTER IMPROVEMENT BOARD (DUSIB)
THROUGH THE CHIEF EXECUTIVE OFFICER, & ORS.

.....Respondents

Through: Ms Nitika Bhutani, Advocate for R-GNCTD.

Mr Parvinder Chauhan Senior Advocate with Ms.Meenakshi Advocate and P.K Jha Pr. director and Pranav siroha LA for R-DUSIB.
Ms. Deeksha L. Kakar, Ms. Prabhsahay Kaur, SC, advocates with Mr.Adv. Rashneet Singh, Mr. Aditya Verma, Ms. Anmol Kaur, Advocates for R-DDA.

60

+ **W.P.(C) 7965/2025 and CM APPL. 34987/2025**

CHANDRAN

.....Petitioner

Through: Ms. Rupali Samuel, Mr. Prasanna S., Ms. Injila Muslim Zaidi, Mr.Maamidi Ashish Reddy Mr. Prasanna B. and



Ms. Aditi Soni, Advocates.

versus

DELHI URBAN SHELTER IMPROVEMENT BOARD AND ORS

.....Respondents

Through: Mr. Anubhav Gupta, PANEL
COUNSEL (CIVIL) GNCTD, Mr
Kartik Sharma, Advocates
Mr Parvinder Chauhan Senior
Advocate with Ms.Meenakshi
Advocate and P.K Jha Pr. director and
Pranav siroha LA for R-DUSIB.
Ms. Deeksha L. Kakar, Ms.
Prabhsahay Kaur, SC, advocates with
Mr.Adv. Rashneet Singh, Mr. Aditya
Verma, Ms. Anmol Kaur, Advocates
for R-DDA.

61

+ **W.P.(C) 8269/2025 and CM APPL. 36049-36050/2025**

MALA

.....Petitioner

Through: Appearance not given.

versus

DELHI URBAN SHELTER IMPROVEMENT BOARD (DUSIB)
THROUGH THE CHIEF EXECUTIVE OFFICER, & ORS.

.....Respondent

Through: Mr. Anubhav Gupta, PANEL
COUNSEL (CIVIL) GNCTD, Mr
Kartik Sharma, Advocates
Mr Parvinder Chauhan Senior
Advocate with Ms.Meenakshi
Advocate and P.K Jha Pr. director and
Pranav siroha LA for R-DUSIB.
Ms. Deeksha L. Kakar, Ms.
Prabhsahay Kaur, SC, advocates with
Mr.Adv. Rashneet Singh, Mr. Aditya
Verma, Ms. Anmol Kaur, Advocates



for R-DDA.

98

+ **CONT.CAS(C) 1342/2025 and CM APPL. 7395/2026**

SMT ANJALI ANR & ANR.

.....Petitioners

Through: Ms. Sonal Sarda, Ms. Sunidhi Gupta,
Advocate.

versus

DELHI DEVELOPMENT AUTHORITY & ORS.

.....Respondents

Through: Mr Parvinder Chauhan Senior
Advocate with Ms.Meenakshi
Advocate and P.K Jha Pr. director and
Pranav siroha LA for R-DUSIB.
Ms. Deeksha L. Kakar, Ms.
Prabhsahay Kaur, SC, advocates with
Mr.Adv. Rashneet Singh, Mr. Aditya
Verma, Ms. Anmol Kaur, Advocates
for R-DDA.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

18.03.2026

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1. Heard learned counsel appearing on behalf of the parties.
2. Learned counsel appearing on behalf of the petitioners, in order to overcome the hurdle of not availing alternate remedy under Section 45 of the Delhi Urban Shelter Improvement Board Act, 2010 ('the Act of 2010') makes various submissions.
3. According to the petitioners, the order is passed by the Chief Executive Officer ('CEO') and is without jurisdiction. Therefore, the Court should entertain the instant writ petitions as the appeal is not maintainable



against the order passed by the CEO. Additionally, it is contended that the CEO under the policy or the Act is not authorized to overturn the decision passed by the Appellate Authority.

4. The respondent- Delhi Urban Shelter Improvement Board ('DUSIB') however takes a consistent position that all these aspects can be looked into by the Appellate Authority under Section 45 of the Act of 2010.

5. Section 45 of the Act of 2010 is extracted as under:-

"45. Appeals.

(1) Any person aggrieved by any notice, order or direction issued or given by the Board under this Act, may, within thirty days from the date of receipt of the notice, order or decision, appeal to the Lieutenant Governor: Provided that the Lieutenant Governor may entertain an appeal after the expiry of the said period of thirty days if he is satisfied that there was sufficient cause for not filing it within that period.

(2) An appeal to the Lieutenant Governor shall be made in such form and shall be accompanied by a copy of the notice, order or direction appealed against and by such fees as may be prescribed by rules.

(3) The order of the Lieutenant Governor on an appeal under sub-section (1) shall be final.

(4) No appeal shall be decided under this section unless the appellant has been heard or has had a reasonable opportunity of being heard."

6. It is, thus, seen that any person aggrieved by any notice, order or direction issued or given by the Board under the provisions of the Act of 2010, is entitled to prefer an appeal to the Lieutenant Governor. The decision may have been communicated by the CEO, however, the same will have to be construed to have been passed by the DUSIB. The CEO acts as an authority under the provisions of the Act of 2010; and he exercises powers on behalf of the DUSIB, not in his individual capacity, which are delegated as per law. Even otherwise, the issue whether the CEO has passed



the order in his individual capacity or the same is the decision by the Board, itself can be looked into by the Appellate Authority.

7. In view thereof, the petitioners have the remedy to file an appeal under Section 45 of the Act of 2010.

8. The Court also finds that some interim directions were passed; the same shall remain in force till the appeals are decided.

9. The respondents undertake that the no objection regarding maintainability or limitation shall be raised, if the appeal is filed within a period of four weeks from today.

10. So far as the submission with respect to the modification of the observations made by the Court in the order dated 02.12.2025 in paragraph no.7 whether the word 'DDA' will have to be replaced by the word 'DUSIB' is concerned, the said aspect will also have to be looked into by the Appellate Authority.

11. With the aforesaid observations, the instant petitions stand disposed of along with all pending applications.

12. All rights and contentions of the parties are left open.

PURUSHAINdra KUMAR KAURAV, J

MARCH 18, 2026

Nc