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

+ **W.P.(C) 14986/2022**

**SUFYAN RAJIV RATAN AWAS RESIDENT WELFARE
ASSOCIATION THROUGH ITS PRESIDENTPetitioner**

Through: Mr. Anubhav dubey, Mr.
Sachidanand Chaudhary, Ms. Bulbul
Pandey and Mr. Nasim Ahmad,
Advts.

versus

**DELHI URBAN SHELTER IMPROVEMENT
BOARD AND ANRRespondents**

Through: Mr. Ram Kumar, Mr. Sushil Kumar,
Mr. Gaurav, Dr. K. Elumalai
Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% 09.02.2026

1. The petitioner in the instant petition has prayed for the following reliefs:

"i Issue appropriate writ, order or direction in the nature of mandamus thereby directing the respondents to transfer the maintenance and upkeep functions of the petitioner society and the operation of corpus fund namely "DUSIB Estate Management Fund" to the petitioner with immediate effect;

ii Issue appropriate writ, order or direction in the nature of . mandamus thereby directing the respondents to hand over the audited accounts of entire income-expenditure of the maintenance of the society with immediate effect;

iii Pass such other/further order (s) as this Hon'ble Court may deem fit



and proper in the interest of justice.”

2. The grievance seems to be with respect to transfer of the fund which according to the petitioner was collected from the flat owners eligible for allotment.

3. The respondent no.1 has filed its counter-affidavit and in paragraphs nos. 8 and 9, the following position has been taken:

“8) Para 08 of the writ petition is a Matter of record. However it is further stated that (A) Amount received from due to dwellers.

Allotted flats@ Rs 30,000/- per flats for 05 years maintenance.

850x30,000/- = Rs2,55,00,000.00

*(B) Expenditure incurred on civil work =Rs.1.80 Cr
Electrical I Horticulture work =Rs.1.80 Cr.*

Rs.3.60 Cr

According to A&B amount of expenditure incurred exceeds the amount received by Rs 1.05 Cr approx as over expenditure. All expenditure on execution of work as per site requirement and needs of the site for the betterment of dwellers/ Allottees.

It is submitted that the scope of work was taken as per site requirement/ condition having administrative approval from the competent authority, and keeping in mind the welfare of the resident residing in the unit as per the safeguard and protection of Govt. property, which comes in the purview of the maintenance as emphasized by the condition relating to the same. It is further submitted that the maintenance criteria as per condition laid out by the handing over documents lays emphasize on street light, electric supply system of common areas associated with security of the same in this regard.

9) In reply to Para 09 of the writ petition it is submitted that the expenditure incurred on maintenance work has already crossed the limit of amount received from the dwellers/ allottees i.e. Rs 2,55,00,000/-. It is suggested for record , that as per condition of maintenance after five years, the RAW after completion of due formalities w.r.t. the criteria associated with maintenance, may submit appropriate proposal for work keeping in view of the site condition requirement for grant of additional aid subject to guideline governing the same in this regards. The answering respondent further submits that the legal notice dt.23/11/2021 and



14/02/2022 has already been replied vide No:WF/4756/RTI/FGMS/EEC-2/2022/C-63 dated 29.04.2022.”

4. It is, thus, seen that the respondent, according to its counter-affidavit, has spent more than the amount which was collected from the members.
5. If the petitioner has any grievance with respect to the calculation placed on record by the respondent, the remedy would lie elsewhere.
6. The aforesaid exercise cannot be conducted in a writ jurisdiction. Accordingly, granting that liberty, the instant writ petition stands disposed of, as no substantive relief can be granted.
7. Petition stands disposed of.

PURUSHAINdra KUMAR KAURAV, J

FEBRUARY 9, 2026

aks/ap