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

\# **CNR No. DLHC010485022026**

\+ LPA 825/2026 & CM APPL. 69879/2026

SHRI SANATAN DHARAM RAMLEELA SAMITI NARAINA THROUGH ITS GENERAL SECRETARY SHRI INDERJEET SINGH RAJPUT .....Appellant

Through: Mr. Vipul Saini, Mr. Nikhil Mann, Mr. Mohit Kumar Tomar & Mr. Manish Tanwar, Advocates.

versus

DELHI DEVELOPMENT AUTHORITY THROUGH ITS VICE CHAIRMAN & ORS. .....Respondents

Through: Ms. Manika Tripathy, SC, Mr. Arjun Mahajan, SC with Mr. Aman Kumar & Mr. Apoorv Upmanyu, Advocates for Respondent No.1/DDA.

Mr. Manu Chaturvedi, Standing Counsel for Respondent No.2/MCD.

Mr. Sumit K. Batra & Ms. Priyanka Jindal, Advocates for Respondent No.3/GNCTD.

Mr. Puneet Dhawan, SPC along with Ms. Ritu Bhardwaj, G.P. & Ms. Bhavya Malhotra, Advocate for Respondent No.4/SHO, Naraina.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN BHARDWAJ

O R D E R

% 07.10.2026

CM APPL. 69881/2026 (*Exemption*)

1. Exemption is allowed, subject to all just exceptions.

2. The application stands disposed of.

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CM APPL. 69880/2026 (*Condonation of Delay*)

3. This is an application filed on behalf of the appellant under Section 5 of the Limitation Act, 1963 read with Section 151 of the Code of Civil Procedure, 1908 seeking condonation of delay of 17 days in filing the present appeal.

4. For the reasons stated in the application, the delay of 17 days in filing the present appeal is hereby condoned.

5. The application stands disposed of.

LPA 825/2026

6. The present appeal is directed against an order dated 19.08.2026 passed in CM APPL. 55477/2026 in W.P.(C) 36/2026, to the extent that it directs that the land at Chintoo Park, Naraina be maintained as a green area, or, in the alternative, prays for modification of the order by observing that, by virtue of the aforesaid order, the right of the petitioner to use the very same premises/Chintoo Park for conducting the annual Ramlila function cannot be stopped, nor can an embargo be put on such right.

7. Learned counsel for the petitioner submits that the order was passed by the learned Single Judge pursuant to a misleading argument that was canvassed. The fact that the appellant has been using the premises in question uninterruptedly for the last 53 years is not in dispute. Once the aforesaid regular practice of use of the Chintoo Park for the purpose of organising Ramlila has been permitted by the respondent, who has notified the land in question as open ground, the respondent, in such an eventuality, committed an error not only in rejecting the prayer of the appellant in the matter of permitting them to use the park in question for organising the annual Ramlila function, but also in misinterpreting the purpose for which

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the land in question was reserved. He has specifically drawn support from the learned Single Bench judgment of this Court in the matter of ***Sahil Viklang Sahaytartha Samiti & Another v. Delhi Development Authority***, **W. P. (C) - 9537/2024**, 2024 SCC OnLine Del 4907, particularly Paragraph Nos. 25 and 26.

8. According to him, the appellant is running against time, and as such, the respondent must consider the right of the petitioner in the wake of the principle of legitimate expectation, that is, the use of the land in question for a continuous period of 53 years.

9. As against the above, learned counsel for the respondent has stated that, pursuant to the orders of the Court, the land has been developed as a green patch and a substantial amount of public money has already been spent in improving the status of the land by converting the same into a green patch. It is urged that, if permission is granted under the orders of this Court to organise a function as prayed, the same will ruin the entire area again.

10. Learned counsel for the respondent states that there is no absolute right of the appellant to claim that the land in question must be provided to them in continuity or in perpetuity for a particular use.

11. As against the above, in rejoinder, the learned counsel for the appellant states that, if permitted, an undertaking shall be given that the land shall be restored to its original condition, with green plantations, if any, and that no damage will be caused to it.

12. Having considered the rival submissions, it is apparent from the record that it was pursuant to the orders of the learned Single Judge that the respondents were directed to treat the land as a green patch and maintain it properly. The Court has sought a regular status report in the matter, and a

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copy of the same has also been produced for the perusal of this Court along with the photographs.

13. The photographs demonstrate that sufficient steps are being taken by the respondent in the matter of converting the land into a green area and its maintenance. A substantial amount of public money has already been spent on the same.

14. Apart from the above, in the matter of *Sahil Viklang* as cited (supra), this Court is conscious of the fact that the land provided in the said case was to the extent of 2,50,000 sq. Mtrs. and part of it was permitted to be used for purposes like organising a function like the present one. That does not appear to be the case at hand, as the park in question, i.e., Chintoo Park, consists of 9000 sq. Mtrs. only.

15. In our opinion, keeping Chintoo Park open to the sky and maintaining greenery will rather help in preserving the environment in tune with the Green Revolution.

16. In that view of the matter, we see no reason to cause interference in the appellate jurisdiction.

17. The appeal as such stands dismissed.

18. Pending application(s), if any, also stand disposed of.

NITIN WASUDEO SAMBRE, ACJ

ARUN BHARDWAJ, J

OCTOBER 7, 2026*/ 'AN'*

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