



\$~29

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

+ **W.P.(C) 12517/2025 & CM APPL. 51065/2025**

M/S. NEGOLICE INDIA LTD.

.....Petitioner

Through: Appearance not given.

versus

**PUBLIC WORKS DEPARTMENT, GOVT. OF NCT DELHI AND
ORS.**

.....Respondents

Through: Ms. Vaishali Gupta, Adv. for Mr.
Manashwy Jha, Panel Counsel
(Civil), GNCTD for R - 1.

Mr. Kanwar Udaibhan Singh
Sehrawat, Shrinkar Chaturvedi
Advocates for R-1.
Ms. Malvika Kapila, Adv. for DDA.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

%

08.01.2026

1. The petitioner assails the communication dated 14.02.2023 issued by the Assistant Engineer, Sub Division N.R. -12, Public Works Department, PWD, Mall Road, Delhi-11005. The essential grievance raised by the petitioner is that the petitioner has been described to be the encroacher on ROW (Right to Way) on the basis of vague and unfounded premise.
2. It is submitted that the communication does not exactly indicate the particulars of any encroachment by the petitioner; instead, the same merely states that approximately 30 feet width of ROW seems to be encroached.



3. The Court is of the *prima facie* opinion that there may arise certain disputed facts which will require a greater scrutiny; however, it is seen that on 22.09.2025, this petition was entertained and notice was directed to be issued to the respondents. The Court, in the meantime, has also restrained respondent nos.1 and 2 from taking any coercive steps against the petitioner pursuant to the order dated 14.02.2023.

4. It is, thus, seen that since 22.09.2025, no coercive steps have been taken against the petitioner. Even no reply has been filed by any of the parties.

5. Learned counsel appearing for the petitioner submits that the petitioner is being unnecessarily harassed for one reason or the other and, therefore, it would be appropriate that this Court would take the issue to its logical conclusion. However, looking at the controversy involved herein and the fact that before taking decision, the petitioner was not heard by the Public Works Department, it would be appropriate to dispose of the petition with the following directions: -

- i. Let the petition be treated to be the representation against the communications at the instance of the petitioner and be decided by way of speaking order within a period of four months from the date of its receipt.
- ii. Before taking any final view, the concerned authority shall hear the petitioner as well as all other stakeholders.
- iii. If the concerned authority deems it appropriate to direct for re-inspection. Let the same be carried out in the presence of the parties.

6. With the aforesaid directions, the petition stands disposed of.



7. Till the fresh decision is taken the order dated 14.02.2023 shall remain in operation.

PURUSHAINDRA KUMAR KAURAV, J
JANUARY 8, 2026/P/AMG