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

+ **W.P.(C) 19827/2025, CM APPL. 82773/2025**

JMD HOTELS PRIVATE LIMITED & ORS.Petitioners

Through: Mr. Kush Sharma, Mr. Vineet Nagar,
Advs.

versus

DELHI DEVELOPMENT AUTHORITYRespondent

Through: Ms. Shobhana Takiar, SC with Mr.
Shivam Takiar, Mr. Prateek Dhir, Mr.
Kuljeet Singh, Advs.
Ms. Kritika Gupta, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **06.01.2026**

CM APPL. 82774/2025

Exemption allowed, subject to all just exceptions.

The application is disposed of.

W.P.(C) 19827/2025

1. This is a petition seeking the following prayer:

“Issue a writ of Mandamus, or any other appropriate writ, order or direction against the Respondent thereby restraining the Respondent not to take any illegal, forceful and coercive possession/sealing action with respect to the units of the Petitioners whose proceedings are pending before the Ld. Estate Officer except by following the due process of law.”

2. The petitioners, in the present case, are the licensees from the year 2002, of the shops which are shop Nos. G-6, G-7A, G-4, F-6, G-11, F-9, G-18, F-6A, Janak Place District Centre, Janakpuri, New Delhi, (though it is



contended by the respondent that the licence has not been renewed after 2014.)

3. Mr. Sharma, learned counsel for the petitioners states that in the present case, proceedings are pending before the Ld. Estate Officer under Public Premises Act, 1971 (**“the Act”**) and despite the same, the respondent is taking illegal and forceful possession of the units in question.

4. On the contrary, Ms. Gupta, learned counsel for the respondent states that the petitioner’s licence has already expired in 2014 and hence they cannot continue to be in possession.

5. I have heard the learned counsels for the parties.

6. The fact of the matter remains that the respondent has already initiated proceedings under the Act, which are pending adjudication before Ld. Estate Officer. Once, the proceedings under the Act are initiated, the respondent is required to await the outcome before proceeding to take possession. The respondent cannot circumvent the procedure prescribed under the Act, a proceeding which has been initiated and is pending.

7. Accordingly, the petition is allowed and the writ of mandamus is issued restraining the respondent from taking any illegal, forceful possession/sealing action with respect to shop Nos. G-6, G-7A, G-4, F-6, G-11, F-9, G-18, F-6A, Janak Place District Centre, Janakpuri, New Delhi, whose proceedings are pending before the Ld. Estate Officer except by due process of law.

8. The petition is disposed of in aforesaid terms.

JASMEET SINGH, J

JANUARY 6, 2026/DM