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

+ **W.P.(C) 331/2026 & CM APPL. 1596/2026**

**SOCIETY FOR ELEMENTARY VOLUNTEER ACTION SEVA
REGD THROUGH ITS GENERAL SECRETARYPetitioner**

Through: Appearance not given.

versus

THE GOVT OF NCT OF DELHI AND ORSRespondents

Through: Mr. Lalitaksh Joshi and Mr. Sameer
Gupta, Advs. for R-1, 2, 6 & 7.
Mr Pritish Sabharwal, Adv. for MCD.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **12.01.2026**

1. The petitioner seeks quashing of the order dated 22.09.2025 pursuant to which, demolition of the petitioner's alleged *Gaushala* situated at agricultural land has been carried out.
2. The petitioner also seeks directions to the respondents for rebuilding the *Gaushala* to accommodate the displaced animals and further prays for compensation for the financial loss allegedly incurred on account of the demolition of the structure.
3. A perusal of the material placed on record indicates that a rent agreement appears to have been executed between two parties, under which the petitioner seems to be a tenant of the said land on a monthly rent of Rs. 3,000/-. However, there does not appear to be any document evidencing the



petitioner's right or lawful entitlement over the said agricultural land.

4. Further, there does not appear to be any permission granted by any authority, including the Panchayat or the Corporation, to establish that the *Gaushala* was erected with due approval from the competent authority.

5. In the absence of any demonstration of an established or enforceable legal right, this Court is unable to exercise its extraordinary jurisdiction under Article 226 of the Constitution of India. Moreover, it is well settled that in cases, where, there are disputed questions of fact, the High Court may decline to exercise the jurisdiction in a writ petition. Reference to the decision of the Supreme Court in *Radha Krishan Industries v. State of H.P.*¹

6. Consequently, the petition stands dismissed.

7. The petitioner is, however, shall have liberty to take appropriate remedy in accordance with law.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 12, 2026/P/MJ

¹ (2021) 6 SCC 771