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

+ **W.P.(C) 6397/2018 & CM APPL. 24564/2018**

**TAGORE MODERN PUBLIC SCHOOL AND ANR. ....Petitioners**

Through: Ms. Snehpreet Kaur, Advocate for  
Petitioner no.1 (*through VC*)

versus

**MUNICIPAL CORPORATION  
OF DELHI AND ORS.**

.....Respondents

Through: Mr. Anuj Chaturvedi, SC with  
Ms. Yashita Jain, Advocate for R-1  
Mr. Niraj Kumar, Senior Central  
Government Counsel for R-2  
Mr. Achal Gupta and Mr. Karan Jain,  
Advocates for R-3

**CORAM:**

**HON'BLE MR. JUSTICE AMIT BANSAL**

**ORDER**

**11.05.2026**

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1. The present writ petition has been filed seeking the following reliefs:-

- a. Direct the respondents to take necessary steps in order to clear the encroachment/jhuggi dwellers from Petitioner's locality more particularly from the approach road of the petitioner school and to frame a mechanism in order to prevent the reoccurrence of such nuisance again and again, and,
- b. Direct the Respondent No 2 , Delhi Police to establish a permanent police picket at the encroachment site to prevent any future encroachment

2. In terms of the status report filed on behalf of DUSIB on 2<sup>nd</sup> February,



2024, it is stated that a joint inspection of the *Jhuggis* near the petitioner's school took place on 6<sup>th</sup> September, 2023. The relevant extracts from the joint inspection report are set out below:-

**Subject: Joint site inspection report of jhuggies at near Tagore Modern Public School Motia Khan.**

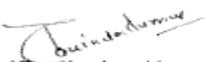
**Ref.No.: Orders dated 14.08.2023 in W.P. (C) No. 6397/2018 in the matter of Tagore Modern Public School & Anr. Vs. Municipal Corporation of Delhi & Ors.**

In above reference a joint site inspection has been carried out on 06.09.2023 by the following officers:

1. Sh. Ravinder Kumar, Asstt. Engineer, Karol Bagh Zone, MCD
2. Sh. Arun Kumar Licensing Inspector Karol Bagh Zone, MCD
3. Sh. R.K. Kanojia, Asstt. Director, Rehab./Sociology, DUSIB.

The site inspection / local inquiry reveal following facts:

- 1) Approx.25 jhuggies/ Structures were identified by the joint inspection team on road near Tagore Modern Public School.
- 2) The jhuggies are not part of 675 listed/identified JJ Basti of DUSIB.
- 3) Local inquiry revealed that these jhuggies are existing at this site from last 30-40 years as stated by JJ dwellers.
- 4) JJ dwellers have shown documents of period prior to 01.01.2006.
- 5) Copy of the documents / proof of occupancy have been collected from site which are enclosed herewith.
- 6) The sketch of said jhuggie area has been prepared which is also attached herewith.
- 7) As per "Delhi Slum and Jhuggi Jhopari Rehabilitation and relocation policy 2015 dated 11.12.2017" any land owning agency will not demolished any jhuggi jhopari basti which is eligible as per para 20) above unless.
  1. There is any Court order.
  2. That basti has encroached a street, road, footpath, Railway safety Zone, or a park.
3. The encroached land is required by the land owning agency for specific public project as envisaged in the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011, which is extremely urgent and can't wait.

  
(Ravinder Kumar)  
Asstt. Engineer  
Karol Bagh Zone, MCD

  
(Arun Kumar)  
Licensing Inspector  
Karol Bagh Zone, MCD

  
(R.K.Kanojia)  
Asstt. Director  
Rehab./Soc.DUSIB



3. As per the status report, the subject *Jhuggis* are not in the list of 675 listed/identified JJ Bastis and hence not entitled to benefit under '*Delhi Slum and Jhuggi Jhopri Rehabilitation and Relocation Policy 2015*'.
4. In the earlier status report filed by respondent-MCD on 26<sup>th</sup> February, 2020, it was stated that the encroachment removal action of the *Jhuggis* could not take place due to non-availability of adequate police force.
5. In light of the aforesaid, direction is issued to respondent-MCD to carry out the necessary encroachment removal action against the aforesaid *Jhuggis*. It is further directed that respondent no.2/SHO, P.S. Paharganj, shall provide adequate police force to the MCD for carrying out the encroachment removal action.
6. All rights, contentions and legal remedies of the said *Jhuggi* dwellers are kept open.
7. The petition is disposed of with the aforesaid terms.

**AMIT BANSAL, J**

**MAY 11, 2026**  
**ds**