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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CNR No. DLHC010397952026
+ **W.P.(C) 12357/2026 & CM APPL. 57298/2026**
LOHAR BASTI LAL BAGH AZADPUR VIKAS SAMITI

.....Petitioner

Through: Appearance not given
versus

DDA AND ORS

.....Respondents

Through: Ms. Shobhana Takiar Standing
Counsel for DDA Mr Kuljeet Singh Advocates
Mr. Anuj Chaturvedi, Ms. Richa Dhawan, Ms.
Yashita Jain, Mr. Sahil Bhaskar, Advs for R-2
Mr. Raghvendra Upadhyay Panel Counsel
GNCTD, Ms. Purnima Jain Advocate & Mr.
Madhur Advocate for R-3, 5 and 7
Ms Pushti Gupta, SPC for R-4 and R-6
Ms. Pushti Gupta, SPC Adv. Garvil Singh, GP and
Adv. Pradumn Gautam for Respondent No. 4 to 7

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
24.08.2026

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1. This is a writ petition filed under Article 226 of the Constitution of India seeking the following prayers:-

“I. Issue a writ of certiorari, or any other appropriate writ, order or direction, quashing the impugned Notice bearing No. 54(1)/Notice/N.R.-12/L.N.V./194 dated 07.08.2026 issued by Respondent No. 3 (Annexure P-1);
II. Issue a writ of mandamus, or any other appropriate writ,



order or direction, directing the Respondents, and in particular Respondent No. 6 (DUSIB), to conduct a survey of the residents of the said Basti in accordance with the principles laid down in Sudama Singh (supra) and Ajay Maken (supra), determine their eligibility for rehabilitation/resettlement, and ensure that no removal of the said Basti is undertaken until such rehabilitation is provided;

III. Issue a writ of mandamus, or any other appropriate writ, order or direction, restraining the Respondents, their officers, agents, contractors and subordinates from demolishing, removing or dispossessing the Petitioner's members from the said Basti otherwise than in due compliance with prayers (a) and (b) above;

IV. Pass an ad-interim ex-parte order staying the operation of the impugned Notice dated 07.08.2026 and the proposed removal/demolition action scheduled for 27.08.2026, pending the hearing and final disposal of the present petition;

V. Award costs of the present petition in favour of the Petitioner and against the Respondents...”

2. For the reasons stated in the petition, issue notice.
3. Ms. Takiar, learned Standing Counsel, accepts notice on behalf of the respondent No. 1. Mr. Chaturvedi and Mr. Upadhyay, learned counsels, accept notice on behalf of respondent Nos. 2, 3 and 5 respectively. Ms. Gupta, learned SPC, accepts notice on behalf of



respondent Nos. 4, 6 and 7.

4. A perusal of the photographs shows that the petitioner has constructed *Jhuggies* on the footpath. The same is also evident from the notice dated 07.08.2026, seeking removal of the encroachment. The relevant paragraph reads as under :-

“During the inspection conducted by the District Magistrate (Central North) and SDM (Model Town), it was found that several people have illegally taken possession by constructing Jhuggis on the government land of Right of Way (ROW)/footpath/storm water drain of PWD located on G.T.K. Road and are carrying out various types of trade such as iron utensils etc. Such possession or commercial activity by any private person on the footpath/Right of Way/government land of the Public Works Department is not permitted.....”

5. Such an encroachment, as is evident from a combined reading of the photographs and notice dated 07.08.2026, cannot be permitted. Footpaths are made for walking and strictly for the pedestrians to avoid traffic on the roads. Footpaths cannot be encroached upon.

6. For the said reasons, I am not inclined to entertain the petition.

7. Mr. Gupta, learned counsel, states that the representation dated 21.08.2026 will be decided by respondent No. 3/Public Works Department. The petitioner is entitled to adjudication of its representation.

8. The respondent No. 3/ Public Works Department is directed to decide the representation expeditiously and not later than 4 weeks from



today.

9. With these directions, the petition is disposed of holding that the petitioner is not entitled to any other reliefs other than a decision on its representation.

JASMEET SINGH, J

AUGUST 24, 2026/NR