



2025:DHC:8391



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 19<sup>th</sup> September, 2025**+ W.P.(C) 14590/2025 & CM APPL. 59846/2025, CM APPL.  
59847/2025

ATUL TANWAR &amp; ANR.

.....Petitioners

Through: Mr. Abhinav Sharma, Mr. Manish  
Tanwar, Advocates (M:9953993355)

versus

DELHI CANTONMENT BOARD

.....Respondent

Through: Mr. Ankur Mishra, Advocate

**CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J (ORAL):**

1. The present writ petition has been filed seeking quashing of the order dated 29<sup>th</sup> July, 2025 passed by the General Officer Commanding-in-Chief, Western Command, Chandigarh, in *Appeal No. 02/2024*, titled as “*Shri Atul Tanwar and Shri Manish Tanwar Versus Delhi Cantonment Board.*”
2. There is further prayer for setting aside the Demolition Notice dated 03<sup>rd</sup> September, 2025 issued by the Chief Executive Officer, Delhi Cantonment Board with respect to the property of the petitioners, i.e. property bearing no. *CB-97, Village Naraina, Delhi Cantt.*
3. Learned counsel for the petitioners submits that the appeal of the petitioners herein has been dismissed solely on the ground that the petitioners made reference to the compounding provisions as contained in Section 248 of the Cantonment Act, 2006.



4. After some hearing, learned counsel for the petitioners submits that without prejudice to the rights and contentions of the petitioners, the petitioners shall approach the respondents for filing an application for regularization.
5. Issue notice. Notice is accepted by learned counsel for the Delhi Cantonment Board (“DCB”), who submits that in case any application for regularization is filed by the petitioners, appropriate orders shall be passed therein.
6. Accordingly, having heard learned counsels for the parties, it is directed as follows:
  - I. Liberty is granted to the petitioners to file an application for regularization of the construction in the property in question, within a period of four weeks, from today.
  - II. Upon the petitioner filing the regularization application, the same shall be considered by the respondent-DCB, in accordance with law.
  - III. At the time of considering the regularization application of the petitioners, the petitioners shall be granted opportunity of personal hearing.
  - IV. In case any directions are issued by the DCB during the hearing of the application for regularization, the said directions shall be duly complied by the petitioners.
  - V. In case the petitioner files the regularization application within a period of four weeks from today, no coercive action shall be taken against the property of the petitioners, during the pendency of the regularization application.
  - VI. In case the petitioners are aggrieved by any orders passed by the



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respondent-DCB in the regularization application, the petitioners shall have the liberty to seek their remedies, in accordance with law.

7. With the aforesaid directions, the present petition, along with pending applications, is accordingly disposed of.

**SEPTEMBER 19, 2025/au**

**MINI PUSHKARNA, J**