



2025:DHC:8739



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

% **Date of Decision: 25th September, 2025**

+ W.P.(C) 14883/2025, CM APPL. 61196/2025 & CM APPL.
61197/2025

DESHRAJ

.....Petitioner

Through: Mr. Sarvesh Rai, Adv.

versus

DELHI CANTONMENT BOARD

.....Respondent

Through: Mr. Ankur Mishra, Adv. (Through
VC)

+ W.P.(C) 14884/2025, CM APPL. 61198/2025 & CM APPL.
61199/2025

SMT KRISHNA

.....Petitioner

Through: Mr. Sarvesh Rai, Adv.

versus

DELHI CANTONMENT BOARD

.....Respondent

Through: Mr. Ankur Mishra, Adv. (Through
VC)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (Oral)

1. The present writ petitions have been filed seeking to set aside the order dated 29th July, 2025, passed by the General Officer Commanding-in-Chief, Western Command, Chandimandir, in *Appeal No. 05/2025*, titled as "*Shri Desh Raj Versus Delhi Cantonment Board*", and to not take any



coercive action against the petitioners.

2. Learned counsel appearing for the petitioners submits that the Delhi Cantonment Board (“DCB”) has committed an error in coming to the conclusion that the petitioners have raised unauthorized construction, without obtaining permission from the respondent herein.

3. After some arguments, learned counsel appearing for the petitioners draws the attention of this Court to an earlier order dated 19th September, 2025, passed by this Court, in *W.P.(C) 14590/2025*, titled as “*Atul Tanwar & Anr. Versus Delhi Cantonment Board*”, to submit that similar order may be passed and that the petitioners are willing to file an application for regularization.

4. At this stage, learned counsel appearing for the respondent-DCB submits that in the present case, the construction has been made by the petitioners on the defence land. However, appropriate orders shall be passed, as and when, such application for regularization is filed by the petitioners.

5. 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 petitioners 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 respondent-DCB during the hearing of the application for regularization, the said directions shall be duly



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complied by the petitioners.

V. In case, the petitioners file 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 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 petitions, along with pending applications, are accordingly disposed of.

MINI PUSHKARNA, J

SEPTEMBER 25, 2025/KR