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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 15389/2023**

Date of decision: **19.03.2026**

IN THE MATTER OF:

DHANESHWAR YADAV AND ORS

.....Petitioners

Through: Mr. Sanjay Mani Tripathi, Mr.
Sanjeev Ranjan, Mr. Kamal Kant
Tripathi, Mr. Suraj Singh, Advocates.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr. Bhagwan Sawrup Shukla CGSC
with Mr. Mukesh Kumar Pandey,
Advocate for R-UOI.
Mr. Lalitaksh Joshi, with Ms. Minu
kumari, Advocates for R-2.
Mr Farman Ali CGSC, Ms Usha
Jamnal, Advocate.
Ms. Kritika Gupta, Ms. Vidushi
Singhania, Advs for R-DDA.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

J U D G E M E N T

PURUSHAINDR KUMAR KAURAV, J. (ORAL)

1. The instant petition is for the following reliefs:-

“(a) Direct the respondents to suspend further the demolition (if any) are surveyed and rehabilitated as per the DUSIB Policy;

(b) Direct respondent no.3, DUSIB to conduct a survey of the affected residents and rehabilitate them in accordance with the Delhi JJ slum



Rehabilitation and Relocation Policy, 2015;

(c) Direct the respondents to put on record the survey of the residents/ Petitioners in accordance with the DUSIB policy of 2015;

(d) Direct respondents to immediately provide shelter to the Petitioners with proper sanitation, clean water and hygienic conditions;

(e) Direct the Respondents to pay Rs.1,00,000/- compensation to the each of the affected family for the loss and suffering due to demolition and inaction on the part of the respondents.

(f) Any other order deemed fit and proper in the circumstances of the present case.”

2. The facts of the case would indicate that the petitioners are residents of Jhuggis developed at WZ-6, Rajouri Garden, New Delhi-110027. They are stated to be engaged in critical economic activities in the surrounding areas, working as drivers, vegetable vendors, auto-rickshaw drivers, taxi drivers, etc., and have been residing at the above-mentioned address for the past 30–35 years.

3. The petitioners submit that they have filed the present petition for relief against the arbitrary demolition of their Jhuggis, carried out in violation of Clause 2(a)(i) of the Delhi Slum and JJ Rehabilitation and Relocation Policy, 2015 ('2015 Policy') framed under the Delhi Urban Shelter Improvement Board Act, 2010 ('DUSIB Act'). The relevant clause is reproduced below:

“Clause 2(a)(i): Who is eligible for rehabilitation or relocation

JJ Bastis which have come up before 01.01.2006 shall not be removed (as per NCT of Delhi Laws (Special Provisions) Second Act, 2011) without providing them alternate housing. Jhuggis which have come up in such JJ Bastis before 01.01.2015 shall not be demolished



without providing alternate housing; (this is in supersession of the earlier cut-off date of 04.06.2009 as notified in the guidelines of 2013).”

4. It is also submitted that the demolition was carried out without prior notice or opportunity of hearing to the petitioners. The petitioners place reliance on *Chameli Singh v. State of U.P.*¹; *Shantistar Builders v. N.K. Totame*²; and other judgments in support of their claim.

5. However, it appears that no application has been filed by the petitioners before the concerned authorities, as per the 2015 Policy and the DUSIB Act.

6. The Court, therefore, instead of keeping this petition pending, deems it appropriate to direct the petitioners to file an appropriate application before the Respondent No. 3 namely, Delhi Urban Shelter Improvement Board.

7. If the petitioners do so, let the application of the petitioners be decided in accordance with law with due expedition.

8. Liberty is also granted to the petitioners to take up appropriate recourse of law, if their grievance is not mitigated.

9. With the aforesaid observations and liberty, the instant petition stands disposed of.

(PURUSHAINDRA KUMAR KAURAV)
JUDGE

MARCH 19, 2026

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¹ 1996 (2) SCC 549.

² 1990 (1) SCC 520.