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

+ **W.P.(C) 15763/2025**

Date of Decision: **24.02.2026**

IN THE MATTER OF:

UTSAV RESIDENCY

.....Petitioner

Through: Mr. Alok Raj and Mr. Vinay Tripathi,
Advocate.

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Mr. Counsel for R-2 and 3 (*appearance
not given*)

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

J U D G E M E N T

PURUSHAINDRA KUMAR KAURAV, J. (ORAL)

The present petition has been filed by a registered Resident Welfare Association ("**RWA**") of a DDA Housing Scheme, Delhi. The petitioner seeks, *inter alia*, a direction to respondent nos. 2 and 3 to digitise all records pertaining to the petitioner-RWA so as to prevent their misuse or duplication.

2. The petitioner submits that its records maintained with the office of



respondent nos. 2 and 3 have not been digitised, and that the absence of digital records has led to administrative confusion, attempts at duplicate registration of a rival body under a similar name, and other fraudulent activities within the society premises.

3. Learned counsel appearing for respondent nos. 2 and 3 submits, on advance instructions, that the respondent authorities do not presently have the facility or mechanism for digitisation of the records of the petitioner-RWA.

4. He, however, submits that in the event any mechanism for digitisation of records is introduced as a matter of Government policy, the respondent authorities shall adhere to the same.

5. The relief sought, namely, a mandamus directing the respondent authorities to digitise all records of the petitioner-RWA, is, in essence, a prayer to direct the State to adopt a particular mode of administrative record-keeping. However, no Statute or Rule has been brought to the notice of this Court which casts a mandatory duty upon the respondent authorities to maintain RWA records in digital form. In the absence of such a statutory obligation, a writ of mandamus cannot be issued, as held by the Supreme Court in ***Hari Krishna Mandir Trust v. State of Maharashtra***¹:

"...There can be no doubt that an important requisite for issue of Mandamus is that Mandamus lies to enforce a legal duty. This duty must be shown to exist towards the applicant. A statutory duty must exist before it can be enforced through Mandamus. Unless a statutory duty or right can be read in the provision, Mandamus cannot be issued to enforce the same."

6. Moreover, the prayer in substance seeks a direction to frame

¹(2020) 9 SCC 356



administrative policy, a domain in which Courts exercise restraint. In *Rachna v. Union of India*², the Supreme Court has held:

"Judicial review of a policy decision and to issue mandamus to frame policy in a particular manner are absolutely different. It is within the realm of the executive to take a policy decision based on the prevailing circumstances for better administration and in meeting out the exigencies but at the same time, it is not within the domain of the courts to legislate."

7. In view of the aforesaid, this Court finds that there cannot be any direction to the respondent authorities to digitise all their records. Judicial review does not, as a general rule, extend to supervising the manner of administrative upkeep, unless the material on record warrants such intervention.

8. This Court is confident that the Government is not oblivious to modern technological advancements and may be expected to take appropriate measures in the ordinary course of governance.

9. It is, however, clarified that in the event the petitioner has any request for inspection of its records maintained with the respondent authorities, the same shall be considered by the concerned authority in accordance with law and with due expedition.

10. With the aforesaid observations, the petition, along with pending application(s), if any, stands disposed of.

(PURUSHAINDRA KUMAR KAURAV)
JUDGE

FEBRUARY 24, 2026/aks/ap.

²(2021) 5 SCC 638