



\$~42

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 16th September, 2026
Uploaded on: 17th September, 2026

CNR No. DLHC010439682026

+ **W.P.(C) 13555/2026 and CM APPL. 63158/2026, CM APPL. 63159/2026 and CM APPL. 63160/2026**

AMIN UR REHMANPetitioner
Through: Mr. Jasbir Singh Malik, Advocate.

versus

GOVT OF NCT. OF DELHI AND ORSRespondents
Through: Mr. Sanjay Kumar Pathak Standing
Counsel with Mr. Sunil Kumar Jha and
Mr. M. S. Akhtar Advs. for R-1 and 2.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE VIKAS MAHAJAN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner under Articles 226 and 227 of the Constitution of India, *inter alia*, seeking issuance of an appropriate writ directing the Respondents to determine and release the compensation to the Petitioner in respect of Award No. 1/2000-2001/DC (North-West).
3. The case of the Petitioner is that he has rights in the land ad- measuring 5 *bighas* 13 *biswas* comprised in *Khewat* No. 66, *Khatauni* No. 142, Village Chowkri Mubarakabad, New Rohtak Road, Sarai Rohilla, Delhi. According



to the Petitioner, the said land is now referred to as property No. 17/6. The Petitioner claims to have acquired knowledge only in 2026 that the subject land has been acquired. This position is severely disputed by the LAC.

4. In fact, the Petitioner's case is that he had filed another writ petition being **W.P. (Crl.) No. 15/2024** titled '**Amin Ur Rehman v. State Govt. of NCT Delhi**' in which the following prayers were made:-

"a. Issue an appropriate Writ including a Writ of mandamus directing the Respondents to ensure life, liberty and property of the petitioner admeasuring 5 bighas 13 biswas in khewat no. 66 khatauni no. 142 in the area of Village Chowkri Mubarakabad, New Rohtak Road, Near Railway Line, Sarai Rohilla, Delhi presently known as property bearing old nos. 6/1 and 6/5 (now New No. 17/6) situated at New Rohtak Road, Daya Basti, Delhi-110035 from miscreants/ antisocial elements as the petitioner is lawfully entitled to full and unobstructed, unimpeded; use, possession and enjoyment of the same.

b. Issue an appropriate Writ including a Writ of mandamus directing the respondents particularly respondent no. 3 for discharging public duty instead of creating any hindrance/obstruction with the use, possession and enjoyment of the property as mentioned above; and

c. Pass such further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

5. **W.P. (Crl.) No. 15/2024** was decided vide order dated 5th September, 2024 in the following terms:-

"CRL.M.A. 26810/2024 & W.P.(CRL) 15/2024

1. An application under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been preferred on behalf of petitioner for directing



respondent No.2/DCP, North District, New Delhi to ensure safety of life and property of the petitioner.

2. Issue notice. Learned ASC for State/respondents appears on advance notice and accepts notice.

3. In brief, petitioner claims to be the recorded owner of property measuring 5 bighas 13 biswas in Khewat No.66 Khatauni No.142 in the area of Village Chowkri Mubarakbad, New Rohtak Road, Near Railway Line, Sarai Rohilla, Delhi. Further a complaint to DCP alongwith other authorities is stated to have been made by petitioner on 01.04.2021 alleging that some anti-social elements tried to trespass the property with intention to raise illegal construction.

4. On the other hand, status report has been filed on behalf of State/respondent No.1, which reflects that ownership of aforesaid property is disputed by government agency i.e. DSIIDC which had stopped the work carried out by petitioner. It is further submitted that the dispute as to ownership of property needs to be resolved through civil litigation, in case, petitioner has any grievance against DSIIDC.

5. Apparently, status report filed on behalf of respondent No.1/State reflects that construction, if any, carried out by petitioner is disputed by DSIIDC claiming to be owners of property. In case, petitioner has any grievance, the same can be adjudicated in civil proceedings between the parties. It is also pertinent to note that DSIIDC has not been impleaded as party in the present petition.

6. Considering the facts and circumstances of the case, this Court is of the considered opinion that disputed question of ownership between the parties cannot be adjudicated by way of present petition and need to be adjudicated before civil court.

Petition is accordingly dismissed leaving the rights and contentions of the parties open. Pending applications, if any, also stand disposed of. Date already fixed i.e. 25.09.2024, stands cancelled.”



6. Thereafter, **SLP (Crl) No. 15646/2024** titled '**Amin Ur Rehman v, State (Govt. of NCT of Delhi) & Ors.**' was also preferred against the order dated 5th September, 2024, however, the SLP was disposed of in the following terms:-

*“Heard learned counsel for the petitioner.
The petitioner seeks police protection as he alleges that he has not been allowed to enter his property. We are not in a position to decide such a prayer of similar relief which has already been dismissed by the Delhi High Court in a Writ Petition(Cr1.)No.15/2024 vide its order dated 05.09.2024.*

We are not in a position to interfere with this matter. However, purely in the interest of justice, the petitioner would always be at liberty to seek such prayer/relief in accordance with law, before the police authorities concerned.

The present petition is disposed of in the above terms along with pending application(s), if any.”

7. The case of the Petitioner is that sometime in 2025-2026 the Petitioner came to know that the possession of his land has already been taken by the Land and Building Department. The Petitioner is also stated to have made a representation on 2nd March, 2026 seeking release of compensation in respect of his land.

8. Award No.1/2000-2001 (North-West) has been placed on record wherein, the purpose of acquisition is '*For a Public Purpose, namely, for construction of Common Effluent Treatment Plant & under P.D.D. of Delhi*'.

9. In the said award, the total acquisition is of land parcel of 11 *bighas* and 16 *biswas* and there were two claimants *i.e.*, Shri. Ram Lal Bansiwal and Shri Shyam Lal Bansiwal.



2026:DHC:7958-DB



10. According to the Id. Counsel for the LAC, no other person had raised any claim and the possession of the subject land was also taken long back.
11. Since the possession has already been taken, the only relief that this Court is inclined to grant is that the representation of the Petitioner may be decided by the LAC in accordance with law.
12. Accordingly, let the documents of the Petitioner be examined as to genuinity, validity and if the Petitioner is found to be entitled for any compensation, the process for the same shall be undertaken by the LAC within a period of six months. If the Petitioner is to be relegated to a civil court for determination of title, the LAC shall pass orders accordingly.
13. Petition is disposed of with all pending applications, if any.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

SEPTEMBER 16, 2026/MR/ck