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

Date of decision: 24th September, 2026
Uploaded on: 25th September, 2026

\# **CNR No. DLHC010457022026**

\+ **W.P.(C) 14076/2026**

TRILOKI NATH SHARMA .....Petitioner
Through: Mr. Honey, Mr. Shukla, Mr. Arun Kumar and Mr. Sagar Jaiswal, Advocates

versus

DELHI DEVELOPMENT AUTHORITY & ORS. .....Respondents
Through: Mr. Tushar Sannu, ASC DDA with Mr. Viabhav Tripathi, Mr. Devvrat Tiwari, Advocates.
Mr. Chetan Sharma, ASG with Mr. Sanjay Kumar Pathak, SC with Mr. Sunil Kumar Jha, Mr. M.S. Akhtar, Advocate and Mr. Sameer Vashisht, SC for R-2 and 3 with Mr. K. Kaomudi Kiran Pathak, Mr. Dheeraj Kumar Singh, Mr. Sunil Kumar Jha, Mr. Md. Sueb Akhtar, Ms. Musarrat Hashmi, Mr. Kushagra Dixit, Mr. Hanu Parashar and Mr. Abhay Verma, Advocates.
Mr. Sameer Vashist, SC GNCTD with Ms. Harshita Nathrani, Advocate.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE DINESH BHATT

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Prathiba M. Singh, J. (Oral)

W.P.(C) 14076/2026 & CM APPL. 65874/2026 (for interim relief)

1. The present petition has been filed by Shri Triloki Nath Sharma son of late Shri Ramji Lal Sharma who is stated to have entered into a sale deed for a piece of land admeasuring 235 sq yards within Khasra No. 25/18, Village Shahipur (hereinafter "*subject land*") between 16th March, 1966 to 23rd March, 1966.

2. According to the Petitioner, Khasra Girdawari of Village Sahipur records the Bhumidars in respect of the subject land as Chandgi Ram, Ram Swarup and Dayal Singh, who are stated to be the predecessors-in-interest of the Petitioner.

3. The Petitioner also claims that Shri Fateh Chand Sharma, who had purchased the subject land, had bequeathed the property by registered Will on 8th December, 2009 to the beneficiaries which included the Petitioner. Thereafter, between the legal heirs, a partition deed is also stated to have been executed on 24th August, 2012.

4. The grievance of the Petitioner is that in July, 2026, the inspection-cum-Nishan Dehi was done by the Sub-Divisional Magistrate, GNCTD *vide* order dated 17th July, 2026 and the road widening project has been approved wherein the Petitioner's property has been identified for demolition. The prayer, therefore, is that the order dated 17th July, 2026 by which the demolition is likely to take place be quashed.

5. On behalf of the Respondents, Mr. Chetan Sharma, ld. ASG along with Mr. Sanjay Kumar Pathak, Standing Counsel for LAC and Mr. Sameer Vashist, Standing Counsel, GNCTD have made submissions. The case of the

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Respondents is that a Notification under Section 4 of the Land Acquisition Act, 1894 was issued on 13th November, 1959 covering the revenue estate of Village Shahipur, Delhi. The same was acquired for the planned development of Delhi. Thereafter, the declaration under Section 6 of the Land Acquisition Act, 1984 was issued on 15th July, 1966 and the Award 2119 of Village Shahipur covering Khasra No. 25/18 (1-07) was published on 28th June, 1968. It is also submitted that the possession of the said land was taken on 31st July, 1968.

6. It is submitted that the sale deed which has been executed in favour of the Petitioner's grandfather *i.e.,* Shri Fateh Chand, is subsequent to the Section 4 notification, by about six years. It is further submitted that the subject land which was purchased by the predecessor-in-interest of the Petitioner was therefore not belonging to them at all and could not have been sold in favour of the Petitioner.

7. It is also submitted that the mutation in the revenue documents which is relied upon by the Petitioner is also recorded subsequent to the Award. The possession proceedings also took place on 31st July, 1968 and the compensation has also been deposited. In respect of the same, it is stated that the Revenue Deposit Register which records the deposit of the amount was received back by the LAC and finally an amount of Rs. 57,063.19/- has been deposited on 21st January, 1980.

8. The further submission is that a major infrastructure project of 24 meters wide road is held up because of the Petitioner's property. The plan of the said road is also placed before the Court to argue that the commuters are facing enormous traffic congestion in the area because of the Petitioner's property not being vacated.

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9. In rejoinder, the ld. Counsel for the Petitioner submits that a suit had been filed by Shri Fateh Chand against the DDA in which some orders have been passed in favour of the Petitioner. However, the actual status of the suit as on date is not known to the Petitioner.

10. The Court has heard the Counsel for the parties. There is no doubt that Section 4 of the Notification has been issued way back on 13th November, 1959. This was followed by a Section 6 declaration and the deposit of the compensation amount.

11. Ideally, once the acquisition proceedings have commenced and the compensation has been deposited, no sale deed ought to have even been registered by the Sub-Registrar in respect of lands which stood acquired. However, obviously, for lack of adequate information and mis-communication such purchases and sales are made resulting in enormous difficulty for citizens.

12. In any event, the Petitioner's predecessors-in-interest from whom the subject land was purchased were obviously fully aware of the fact that the subject land stood acquired.

13. The Petitioner has enjoyed the property which is standing on the acquired land for almost 58 years.

14. The map which has been placed on record by the DDA shows that this is a major connecting road in the Shalimar Bagh area with Pitampura.

15. In view of the fact that the land itself has been acquired, no relief can be granted to the Petitioner in this petition. The only relief that the Petitioner would be entitled for is the claim for compensation for which the Petitioner is free to approach the LAC/District Judge by lodging his claim.

16. At this stage, the Petitioner's submission is that his son's wedding has

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been fixed for 12th October, 2026 and hence the prayer is that the demolition may not be carried out immediately. The Petitioner undertakes to vacate the property by 15th November 2026.

17. The Court has considered the prayer of the Petitioner and taking a sympathetic and humanitarian view, the following directions are issued:

i) The Petitioner shall vacate the subject land and property by 15th November, 2026 and no demolition action shall be undertaken till then.

ii) Post 15th November, 2026, the authorities are free to go ahead with the construction of the connecting road.

iii) The Petitioner is free to lodge his claim before the Land Acquisition Collector which shall then be forwarded to the concerned District Judge for adjudication in accordance with law, if required.

iv) The claim of the Petitioner for compensation shall be decided within a period of six months from date of reference to the concerned Court, considering that this an old matter.

v) If the LAC, however, itself determines the compensation and disburses the same, the above directions would not apply.

vi) In addition, on behalf of the Respondent/DDA, the GNCTD shall also disburse an ex-gratia amount of Rs. 3,00,000/- to the Petitioner as has been done in ***Writ Petition (C) No. 1784/2026***.

vii) The said amount shall be disbursed by 10th October, 2026.

18. In terms of the above directions, the Petitioner shall vacate the subject land and property by 15th November, 2026.

19. The Petitioner can lodge his claim of compensation with the LAC

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within a period of 15 days from today.

20. The petition is disposed of in the above terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH
JUDGE

DINESH BHATT
JUDGE

SEPTEMBER 24, 2026
'*rs'/msh*

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