

H K Gaur vs Delhi Development Authority (Dda) & Ors.

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Court : Delhi

Decided On : Feb-18-2026

Judge : Hon'Ble Mr. Justice Jasmeet Singh

Appeal No. : W.P.(C)/1012/2026

Appellant : H K Gaur

Respondent : Delhi Development Authority (Dda) & Ors.

Advocate for Def. : Mr. Rohit Kathuria, Mr. Harshit Sharma, Ms. Shahana Farah, Mr. Abhigyan, Ms. Reya Paul, Ms. Amruta Padhi, Ms. Nidhi Singh, Ms. Paul

Advocate for Pet/Ap. : Mr. Sabyasachi Mishra, Ms. Frankey Sharma

Judgement :

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 1012/2026 & CM APPL. 4907/2026, CM APPL. 4908/2026, CM APPL. 4909/2026, CM APPL. 4979/2026 H K GAURPetitioner
Through: Mr. Sabyasachi Mishra, Ms. Frankey Sharma, Advs.

versus

DELHI DEVELOPMENT AUTHORITY (DDA) & ORS.Respondent
Through: Mr Rohit Kathuria, Mr Harshit Sharma, Advs. for R-2/MCD Ms.
Shahana Farah, Addl. Standing Counsel with Mr. Abhigyan, Ms. Reya
Paul, Ms. Amruta Padhi, Ms. Nidhi Singh, Advs. for DDA Ms. Paul, Adv.
for R-1

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% 18.02.2026

1. This is a writ petition filed under Article 226 and 227 of the Constitution of India seeking the following reliefs: I. Issue a writ of mandamus or any other appropriate writ,

order ordirection directing Respondent Nos. 1 and 2 to

immediately inspect the site at Flats No. 315-A & 315-B, J & K Pocket, Dilshad Garden, Delhi, and to take statutory

action under Sections 343, 344, and 345 of the DMC Act, include g
demolition of illegal /unauthorized constructions; (main prayer) II. Direct
Respondent Nos. 1 and 2 to file a detailed status report indicating the
steps taken on the Petitioners complaints dated 28.11.2025 and
29.11.2025; III. Direct the Respondents to ensure that no further
construction is carried out at the said premises without proper sanction
and approval; IV. Direct initiation of penal proceedings against the
violators Respondents No. 3 and 4 or their agents, sub-agents, attorneys,
assignees, successors, legal representatives) under the DMC Act and
relevant Building Bye-laws; (write provisions of the DMC act for penal
proceedings)

2. Learned counsel for the petitioner states that there is a large scale

illegal and unauthorized construction in the adjoining property, namely, Flat No. 315A and 315B and despite repeated requests and complaints of the petitioner, no action has been taken.

3. Mr. Kathuria, learned counsel appears on behalf of respondent No. 2, Ms. Paul, learned counsel appears on behalf of Ms. Farah, learned ASC for respondent No. 1.

4. It is stated by Mr.Kathuria, learned counsel that there is no ongoing

illegal construction happening today. However, the petition can be disposed of by directing the respondents to hear the petitioner and dispose of his complaints regarding illegal and unauthorized construction.

5. The respondents shall pass a speaking order after hearing all the

concerned parties and if there is any illegal and unauthorized construction, appropriate action shall be taken in accordance with law expeditiously and not later than 8 weeks from today.

6. The petitioner will be entitled to revive the petition in case no action is taken by the respondent.

7. The respondent No. 2 shall also ensure that the drainage pipes of the petitioner are not blocked in any way or manner. JASMEET SINGH, J FEBRUARY 18, 2026/sp

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