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

+ W.P.(C) 1769/2023 and CM NO. 6756/2023

GOSIYA COLONY SEWA SAMITI

..... Petitioner
Through: Ms. Anuprada Singh,
Advocate.

versus

DELHI DEVELOPMENT AUTHORITY

..... Respondent
Through: Ms. Shobhna Takiar, Standing
counsel for Respondent No. 1,
DDA.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **10.02.2023**

1. The present petition has been filed by the Petitioner stating that it represents the dwellers of Ghosiya Slum Colony, which is located at Ward no. 8, Mehrauli, Delhi-110030.

2. She states that the Ghosiya Slum Colony duly appears at serial no. 18 of the DUSIB list published on their website in the year 2018 and refers to Annexure P-1 to the petition. She states that the said list has been downloaded from the official website of DUSIB. She states Code no. 769 has been assigned to this *basti* and it is located in Mehrauli and the list records existence of 400 *Jhuggis*. She states that therefore this a notified JJ Cluster and the *Jhuggis* cannot be demolished in the manner sought to be done.

3. She states that since the petition was filed overnight, she could not give the list of 400 *Jhuggi* dwellers. She states that she will file the list on or before 13.02.2023, the list of 400 residents of the said *Jhuggis* along with T. numbers assigned to them by DUSIB.
4. She relies upon the Delhi Urban Slum and Rehabilitation and Location Policy, 2015 ('2015 Policy') of Respondent no.2 and states that since the Respondent no. 1 is the land-owning agency it is obliged to rehabilitate the residents of slum colony prior to their eviction. She further states that no eviction notice was served on the said residents and the entire demolition action is entirely illegal. She states that the demolition squad is scheduled to arrive today.
5. The matter has been listed in 3rd supplementary list and has come up post lunch at 2.45 pm. The matter was passed over at the request of learned standing counsel for DDA as she had not received a copy of the petition.
6. The matter was called out again at 4.30 pm.
7. Learned standing counsel for Respondent No. 2, DUSIB, is stated to be out of station and is not available to address arguments. The officer deputed as legal assistant in DUSIB is present. He has perused the list, filed at Annexure P-1, and states that he seeks an adjournment until 13.02.2023 to respond to the verify the averments made in the petition.
8. Learned counsel for the Respondent, DDA states as the petition has been provided post lunch, she as well has been unable to take instruction in this matter. She states matter be taken up got hearing on 14.02.2023.
9. Respondents are directed to file their written submissions on or before 13.02.2023.
10. In light of the averment that Ghosiya Slum Colony is a *Jhuggi* cluster

duly enlisted in the list published by DUSIB on its official website, which records 400 *Jhuggis*, as also the 2015 Policy and the fact that the Respondents do not have instructions in the matter, the Respondents are directed to maintain *status quo* with respect to the 400 *Jhuggis* verified by Respondent No. 2, until the next date of hearing.

11. At the request of the Respondents, list the matter on 14.02.2023 at 2.30 pm for hearing.

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 10, 2023/hp