

**3229**

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**Original Application no. 639/2022**

**IN THE MATTER OF:**

**PRITPAL SHARMA**

**...APPLICANT**

**VERSUS**

**DEPARTMENT OF ENVIRONMENT & ORS.**

**...RESPONDENTS**

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FILED BY:

NEW DELHI  
DATED:28.10.2025

  
(JYOTI MENDIRATTA)  
Advocate for the Govt. of NCT of Delhi

## BEFORE THE NATIONAL GREEN TRIBUNAL

## PRINCIPAL BENCH, NEW DELHI

Original Application no. 639/2022

IN THE MATTER OF:

PRITPAL SHARMA

...APPLICANT

VERSUS

DEPARTMENT OF ENVIRONMENT &amp; ORS.

...RESPONDENTS

COMPLIANCE REPORT ON BEHALF OF THE RESPONDENT NO. 10 I.E.,  
DEPUTY CONSERVATOR OF FORESTS, SOUTH FOREST DIVISION,  
DEPARTMENT OF FORESTS AND WILDLIFE, GOVERNMENT OF  
NATIONAL CAPITAL TERRITORY OF DELHI.

MOST RESPECTFULLY SHOWETH:

1. That, the above-mentioned matter was taken up by this Hon'ble Tribunal on 16.09.2025 seeking intervention of this Hon'ble Tribunal to direct the respondent herein to devise an effective mechanism to inter alia curb the illegal act of extraction of Ground water by way of unauthorized borewells and wherever such illegal acts are identified, strict action to be taken to seal the use of borewells. The Hon'ble Tribunal vide order dated 16.09.2025 has directed as under:

*"...5. SDM, Mehrauli and DCF (South), Delhi are directed to file additional Report with boundaries and measurements of the forest land alleged to have been encroached upon from which encroachment has been removed and also particulars of the land on which encroachment still exists".*

2. That the present report is being filed in compliance of the above direction passed by this Hon'ble Tribunal.

3. That the answering respondent had issued notices no. 65/DCF(S)/Land/Ayanagar/2022-23/14492-96 dated 09.02.2024 and notice no. 65/DCF(S)/Land/Ayanagar/2022-23/4759-65 dated 16.02.2024 to the persons in unauthorized occupation of Khasra nos. 1978, 1979, 1980, 1981, 1982 of Village Aya Nagar, Tehsil Mehrauli, informing them that the said land is notified as Reserve Forest Land as per the notifications no. F.10(42)-I/PA/DCF/93/2012-17(I) dated 24.05.1994 and also in terms of notification bearing No. F1(29)/PA/DC/96 dated 02.04.1996. Further, all the said encroachers were directed to vacate the Forest Land as the land was encroached which is a violation under Section 26 of the Indian Forest Act, 1927 and Section 2 of the Forest (Conservation) Act, 1980. **Copies of the notice dated 09.02.2024 and 16.02.2024 are already annexed and marked as Annexure – D (Colly.) at page no. 662 in the Short Affidavit filed by the answering respondent.**
4. That being aggrieved by the above-mentioned notices, the said encroachers had approached the Hon'ble High Court of Delhi by way of writ i.e., "*Adarsh Enclave Residents Welfare Association (Regd.) versus GNCTD, W.P.(C) no. 3086/2024* and *Devki Devi versus GNCTD & Ors., W.P (C) No. 3088/2024*" and challenged the said notices. Further that the Hon'ble High Court of Delhi vide order dated 29.02.2024 disposed of the aforesaid two matters i.e., *W.P.(C) no. 3086/2024* and *W.P (C) No. 3088/2024*" with a direction to the answering Respondent to decide the representation of the petitioners therein within 6 weeks after receiving the said representation. Further, after considering the submissions made by the parties, the Court had noted that the notice was issued by respondent in respect of Khasra nos. 1978, 1979, 1980, 1981, and 1982 of Revenue Estate of Village Aya Nagar and the notice in respect of Khasra nos. 1383, 1384, 1385 and 1386 and Khata no. 232/141 situated in the revenue Estate of Village Aya Nagar, New Delhi now known as Adarsh Enclave, Phase – IV, Aya Nagar, New Delhi, have not been issued. **The copies of the orders dated 29.02.2024 are already annexed and marked as Annexure – G**

(Colly.) at page no. 691 in the Short Affidavit filed by the answering respondent.

5. That on 05.04.2024, the DCF(S) received a short representation by Adarsh Enclave Residents Welfare Association (Regd.) to which the DCF(S) directed the Adarsh Enclave Residents Welfare Association (Regd.) to file a detailed representation, however, the same was not filed. Thereafter, on 02.04.2025 and 11.04.2025, hearings were conducted. However, the parties sought some time to file the documents.
6. It is pertinent to mention here that the said representation was decided vide order dated 26.05.2025 by the answering respondent i.e., the DCF(S) and Adarsh Enclave Residents Welfare Association (Regd.) was directed that if they had an issue with respect to the demarcation of the land in question then DCF(S) / Forest Department is not the competent authority for demarcation of a land. Also, it was noted that the said RWA pleaded that they are in the owners in possession of the land in question. However, the same cannot be accepted over the encroached government land. Further as per revenue records, the land in question are identified as Goan Sabha land, indicating that it is not rightfully owned by the said persons. The copy of the order dated 26.05.2025 is annexed and marked herewith as **Annexure – 1**.
7. That as per the hearing dated 28.05.2025, a letter no. 189/DCF(S)/Legal/24-25/2532-34 dated 16.07.2025 was issued by the Range Officer to the SDM (Mehrauli) for de-sealing the land where illegal borewell is situated as the said land was sealed by the SDM (Mehrauli) in the year 2023. The copy of the letter no. 189/DCF(S)/Legal/24-25/2532-34 dated 16.07.2025 is annexed and marked herewith as **Annexure – 2**.
8. Further a letter no. 189/DCF(S)/Legal/24-25/2828-29 dated 04.08.2025 was again written to the SDM (Mehrauli) requesting removal of encroachment and taking over the possession of alleged property bearing no. G1-2038, Khasra no. 1978, Village Aya Nagar, New Delhi – 110047. The copy of the letter no.

189/DCF(S)/Legal/24-25/2828-29 dated 04.08.2025 is attached and marked herewith as **Annexure – 3**.

9. That on 28.08.2025, a letter no. 1532/SDM/STF/MEH/2025/9220-25 dated 12.08.2025 was received in the office of DCF(S) from the office of SDM (Mehrauli) wherein it was mentioned that the violators of the alleged property bearing no. G1-2038, Khasra no. 1978, Village Aya Nagar, New Delhi – 110047 were directed to remove the encroachment from the said land within 15 days. The copy of the letter no. 1532/SDM/STF/MEH/2025/9220-25 dated 12.08.2025 is attached and marked herewith as **Annexure – 4**.
10. It is submitted that the alleged plot bearing no. G1-2038, Khasra no. 1978, Village Aya Nagar, New Delhi – 110047 falls in Khasra no. 1978, Village Aya Nagar which is proposed forest land under Section 4 of the Indian Forest Act, 1927 as per notification no. F.10(42)-I/PA/DCF/93/2012-17(I) dated 24.05.1994 and also of notification bearing No. F1(29)/PA/DC/96 dated 02.04.1996 issued from Revenue Department setting aside Khasra in Southern Ridge for creation of reserved forest.
11. Further that the demarcation of the above-mentioned Khasra i.e., Khasra no. 1978 of Village Aya Nagar has already been carried on the direction of the Hon'ble National Green Tribunal in the matter titled as "***Sonya Ghosh versus GNCTD in OA no. 58/2013***".
12. Further that Khasra no. 1978 is also forest land as per the maps submitted by the Revenue Department in the matter of ***Sonya Ghosh (supra)*** in the form of affidavit before the Hon'ble National Green Tribunal. It is further to be added that part of this Khasra is shown as encroached in the form of "Unauthorized Colony" as per the aforementioned affidavit.
13. That on 02.09.2025, the alleged property bearing no. G1-2038, Khasra no. 1978, Village Aya Nagar, New Delhi – 110047 was demolished vide order no. F.No. 1532/SDM/STF/MEH/2025/9423-30 dated 01.09.2025. Further land ad-

measuring 30ft x 12ft (about 40 sq. yds.) has been cleared from the encroachment.

14. That as per the report dated 14.10.2025, received from the officials of South Range based on .kml file primarily relied upon by the Department of Forests and Wildlife for protection of ridge land, there are a total of 16 illegal old houses in Khasra no. 1978 and out of these houses, there are about 4 houses for which approximately 40% of the area falls under the ridge forest land i.e., on Khasra no. 1978, Village Aya Nagar, New Delhi. The copy of the report dated 14.10.2025 is attached and marked herewith as **Annexure – 5**.
15. Further a letter bearing no. F.No. 65/DCF(S)/Land/Ayanagar/22-23/4113-16 dated 29.09.2025 and a letter bearing no. F.No. 65/DCF(S)/Land/Ayanagar/22-23/4249-52 dated 06.10.2025 had also been written to the SDM (Mehrauli) regarding removal of encroachment around the afore-mentioned area in Khasra no. 1978, 1979, 1980, 1981 and 1982 of Village Aya Nagar, New Delhi. The copies of the letter dated 29.09.2025 and 06.10.2025 are annexed and marked herewith as **Annexure – 6**.
16. That it is humbly submitted that the Deputy Conservator of Forests (South) has the highest respect and regard for the orders of this Hon'ble Tribunal. The present status report and its annexure(s) are being placed before this Hon'ble Tribunal for its consideration and further directions, if any.

  
**Deputy Conservator of Forests**  
**South Forest Division**

3235

Answer - 487/6  
135/c

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS  
SOUTH FOREST DIVISION  
NEAR DR. KARNI SINGH SHOOTING RANGE  
TUGHLAKABAD, NEW DELHI - 110044

F.No. 150/DCF(S)/Legal/23-24/ 947-48

Date: 26/05/2025

In the matter of:

W.P. (C) 3086/2024,  
'ADARSH ENCLAVE RESIDENTS WELFARE ASSOCIATION.  
VS.  
GOVERNMENT OF NCT OF DELHI & ORS.'

In compliance with the directions of the Hon'ble High Court of Delhi.

SPEAKING ORDER

In accordance with the directions of the Hon'ble Delhi High Court, in the matter named & styled as "Adarsh Enclave Residents Welfare Association Vs. Government of NCT of Delhi & Ors, W.P. (C) 3086/2024, order dated 29.02.2024", the Petitioner welfare association filed a Representation before the undersigned's office 05.04.2024.

That thereafter notice was sent and the matter was scheduled for hearing on 05.04.2024. On the specified date, the Petitioner, along with their counsel, appeared before the undersigned. Following the hearing, the petitioner was directed to produce all the records and provide all the documents with respect to the subject land to the undersigned before the next date of hearing and a complete and proper representation before the next date of hearing. That the petitioner neither filed the complete representation nor produce all the records before the office of the undersigned.

That after waiting for long, a notice dated 21.03.2025 was issued from the office of the undersigned vide which the petitioner was directed to appear before the undersigned on 02.04.2025 at 1:00 PM with all the documents and records with respect to the subject land.

On the said date i.e., 02.04.2025, the petitioner had appeared and sought some time to file the documents. Consequently, Last and final opportunity to file the documents were given and on 11.04.2025 at 2:00 PM the petitioners appeared again explained all the facts of the case but failed to file any documents, in the interest of justice one more opportunity was given to the petitioners to file the documents. On 28.04.2025 a representation was received in the office of Dy. Conservator of Forests (South).

**THE CLAIM OF THE PETITIONER:**

The applicant through present representation are seeking cancellation of notice bearing no.F.No. 65/DCF(S)/Land/Aya Nagar/2022-23/15220-27 dated 27.02.2024 & consequent actions thereupon, since the due process has not been followed issued by this office and issuing directions to all concerned not to cause any kind of harm to the properties/houses of the Applicants.

It is averred that the Petitioner built their respective houses and had been residing along with their families since decades and have various proofs of possession like Aadhar Card, Election ID Card, Electricity Bill etc., to show continuous and uninterrupted possession of the case property from last more than 2 decades.

**FINDINGS OF THE CASE:**

The submitted representation by the Petitioner to the undersigned office appears to be false and lacks merit. The accompanying documents fail to adequately substantiate the petitioner's claim of ownership. None of parties are able to provide any registered document in order to claim their ownership rights over the notified forest land.

It is further noted that though the Petitioner have also pleaded ownership by way of adverse possession on the ground that they have been in possession of the case property for more than 2 decades, however, the same plea cannot be accepted over the encroached government land. Further, as per the Revenue records, the land in question are identified as Gaon Shaba land, indicating that it is not rightfully owned by the petitioner.

Further the electricity connection is barely of any relevance to the facts of this particular case. However, the same does not confer any right in favour of the plaintiff. Hon'ble High Court of Delhi in judgment bearing no. W.P.(C) 6569/2018 & CM APPL. 25073/2018 titled: **Ved Pal Versus Lt. Governor &Ors**, directed as under:

*"13. The petitioner has annexed an electricity bill for the year 2014, which is in his name. He contends that the said electricity bill shows the billing address as "519 G/F Road No-0 Ghitorni N. near Suri Farm New Delhi 110030". The address mentioned in the electricity bill does not mention the Khasra number as that of the land in question. Even if it is assumed that the annexed bill is in relation to the land in question, the same does not confer any right in favour of the petitioner."*

Further the land in question proposed as Reserved Forest and an intention under section 4 of the Indian Forest Act, 1927 vide notification dated 24.05.1994 has already been done. And as per Hon'ble Supreme Court order FC Act applies on section 4 land also.

Moreover statutory bar in terms of section 5 of the Indian Forest Act, 1927 and no right shall be acquired to or over the land comprised in the notification under section 4 of the Indian Forest Act 1927 except by succession or under a grant or contract in writing executed or entered into by or on behalf of the government by the competent person.

Further the in accordance with the directions issued by Hon'ble National Green Tribunal, in the case of Sonya Ghose vs GNCTD & Ors, The Divisional Commissioner, filed a detailed affidavit in which the Khasra i.e 1978,1979,1980,1981 and 1982 of village Aya Nagar is mentioned which belongs to the forest department and several directions are/were also issued to reserve the above mentioned Khasra's of the village for the forest department.

Further petitioner claims that there is error in 2019 demarcation which was done under the direction of Hon'ble National Green Tribunal by the revenue department. It is pertinent to mention Department of Forest and Wildlife/ DCF is not a competent authority to carry out any re-demarcation. In view of the above the petitioners are of the liberty to approach the competent authority for their prayer of re-demarcation.

Therefore, the matter is disposed off.

  
Dy. Conservator of Forest  
(South Forest Division)

To,  
The Adarsh Enclave Residents Welfare Association  
Having registered office at:  
D-215, Bandh Road, Aya Nagar Extension,  
New Delhi - 110047

**Copy to:**

1. The Conservator of Forest, Department of Forest and Wildlife, GNCTD, 2<sup>nd</sup> Floor, A-Block, Vikas Bhawan, I.P. Estate, New Delhi-110003, for kind information.

  
Dy. Conservator of Forest  
(South Forest Division)

3239



URGENT COURT MATTER

DEPARTMENT OF FORESTS AND WILDLIFE  
GOVERNMENT OF NCT OF DELHI  
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS (SOUTH)  
NEAR SHOOTING RANGE: TUGHLAKABAD: NEW DELHI – 44

No. 189/DCF(S)/Legal/24-25/2532-34

Dated: 16.07.2025

To,

Sub Divisional Magistrate (Mehrauli)  
Old Tehsil Building, Mehrauli,  
New Delhi, Delhi 110030.

**Subject:** In compliance of the order dated 28.05.2025 passed by the Hon'ble National Green Tribunal in the matter titled as "Pritipal Sharma versus Department of Environment & Ors., OA no. 639/2022.

Respected Sir/Ma'am,

This is in reference of the order dated 28.05.2025 passed by the Hon'ble National Green Tribunal in the above styled matter. The case pertains to the illegal bore well that existed on Khasra no. 1978, Village Aya Nagar, New Delhi and the said Khasra no. 1978 is a forest land. It is important to note here that the illegal bore well was sealed by the concerned SDM (Mehrauli) in the year 2023 i.e., on 13.04.2023 after the issue of illegal extraction of ground water was raised before the Hon'ble National Green Tribunal.

Hence, it is respectfully requested that the said land be desealed at the earliest, enabling the Forest Department to take possession of the said forest land in accordance with the applicable rules and notifications.

This issue with the approval of DCF(S).

*Ramesh*

Ramesh Yadav  
Range Officer (South)

Copy to:

1. Conservator of Forest (HQ), Department of Forests and Wildlife, GNCTD, 2<sup>nd</sup> Floor, A – Block, Vikas Bhawan, I. P. Estate, New Delhi – 110002 (For kind information).
2. The District Magistrate (Saket), M. B. Road, Saket, New Delhi – 110017

*Ramesh*

Ramesh Yadav  
Range Officer (South)

Annexure - 2 483/10  
136/9

3240

Annexure - 3 489/c  
11  
128/2



URGENT COURT MATTER

DEPARTMENT OF FORESTS AND WILDLIFE  
GOVERNMENT OF NCT OF DELHI  
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS (SOUTH)  
NEAR SHOOTING RANGE: TUGHLAKABAD: NEW DELHI – 44

No. 189/DCF(S)/Legal/24-25/2828-29

Dated: 04.08.2025

To,

Sub Divisional Magistrate (Mehrauli)  
Old Tehsil Building, Mehrauli,  
New Delhi, Delhi 110030.

**Subject: Request for removal of encroachment and taking over the possession of alleged property bearing no. G1-2038, Khasra no. 1978, Village Aya Nagar, New Delhi – 110047.**

Respected Sir

This is in reference of the matter titled as "*Pritipal Sharma versus GNCTD & Ors., OA no. 639/2022*" pending before the Hon'ble National Green Tribunal.

That the case pertains to the illegal bore well that existed on alleged property bearing no. G1-2038 in Khasra no. 1978, Village Aya Nagar, New Delhi – 110047. Further the illegal bore well was sealed by the then SDM (Mehrauli) in the year 2023 i.e., on 13.04.2023.

In addition, during the hearing held on 28.05.2025, the Hon'ble National Green Tribunal enquired about the current status of possession of the alleged land and asked that possession be taken over by the Forest Department.

In view of the above, it is hereby requested that necessary action for removal of encroachment on the alleged property, bearing No. G1-2038, Khasra No. 1978, Village Aya Nagar, New Delhi – 110047, be undertaken through the STF.

3241


481/12

132/c



The said removal may be scheduled at the earliest to avoid any adverse view from the Hon'ble National Green Tribunal as the next date of hearing in the matter is 16.09.2025.

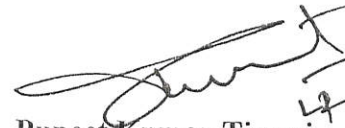
This issue with approval of the competent authority.

  
4/8/25

**Puneet Kumar Tiwari**  
Range Officer (South)

**Copy To:**

1. **Deputy Conservator of Forest (South)**, Department of Forests and Wildlife, GNCTD,  
Near Dr. Karni Shooting Range, Tughlakabad, New Delhi – 110044.

  
4/8/25

**Puneet Kumar Tiwari**  
Range Officer (South)



OFFICE OF THE SUB-DIVISIONAL MAGISTRATE (MEHRAULI)  
REVENUE DEPARTMENT

OLD TEHSIL BUILDING, MEHRAULI, NEW DELHI

Tel. No: 011-26641772(O) email: sdmmehrauli.delhi@delhi.gov.in

File.No. 1532/SDM/STF/MEH/2025/9220-25

Dated: - 12/08/2025

NOTICE

(iii)  
District Magistrate  
With T...

Sub: - Regarding Removal for encroachment and taking over the possession of alleged property bearing No. G1-2038, Khasra No. 1978, Village Aya Nagar, New Delhi-110047.

Whereas, a letter has been received from Range Officer(South), vide which it is requested for removal of encroachment and taking over the possession of alleged property bearing no. G1-2038, Khasra No. 1978, Village Aya Nagar, New Delhi-110047 in reference of the matter titled as "Pritipal Sharma Vs. GNCTD & Ors., OA No. 639/2022" pending before the Hon'ble National Green Tribunal.

Vide the said letter it is requested that necessary action for removal of encroachment on the alleged property, bearing No. G1-2038, Khasra No. 1978, Village Aya Nagar, New Delhi-110047.

In view of above, the violators alleged property, bearing No. G1-2038, Khasra No. 1978, Village Aya Nagar, New Delhi-110047 are directed to remove the encroachment from the said land within 15 days of issue of this notice failing which demolition programme will be initiated on the said land.

To, *27/8/25*  
*Ro (Legal)*

*12.8.25*  
(WAIROKPAM PUNSHIBA SINGH, IAS)  
STF CONVENER/SDM (MEHRAULI)



1. DCP South Office Complex, Hauz Khas, New Delhi, Delhi 110016 – To deputise adequate police force.
2. Deputy Conservator of Forest,(South), Department of Forests and Wildlife, GNCTD, Near Karni Shooting Range, Tughlakabad, New Delhi-44.
3. The Action, DJB, Mandir Marg, Saket Institutional Area New Delhi-110017
4. The SHO (Fatehpur Beri), P.S. Fatehpur Beri, New Delhi.
5. Halqua Patwari, Aya Nagar to paste this notice on the alleged property, bearing No. G1-2038, Khasra No. 1978, Village Aya Nagar, New Delhi-110047.

File.No. 1532/SDM/STF/MEH/2025/

Dated:-

Copy for information to :-

1. District Magistrate (South), Revenue Department, M.B. Road, Saket, New Delhi 110068.

*PA (Legal)*  
*30/8*



*12.8.25*  
(WAIROKPAM PUNSHIBA SINGH, IAS)  
STF CONVENER/SDM (MEHRAULI)



कार्यालय बीट आयानगर  
साउथ रेंज, दक्षिणी वन प्रभाग,  
वन एवं वन्य जीव विभाग, दिल्ली सरकार, नई दिल्ली - 110047

सेवा में,

दिनांक 14/10/2025

श्रीमान उप वन रेंज अधिकारी जी  
साउथ रेंज, नई दिल्ली

विषय : आयानगर वन क्षेत्र खसरा न0 1978 की जानकारी के संबंध में ।  
महोदय,

उपरोक्त के संबंध में आपको अवगत कराना है कि दिनांक 13/10/2025 को माननीय SDM महारौली द्वारा मीटिंग में आयानगर वन क्षेत्र खसरा न0 1978 के संबंध में कुछ जानकारी माँगी थी जो इस प्रकार है:-

1. उपरोक्त खसरे में मौके पर 16 अवैध पुराने मकान बने हुए हैं, इन मकानों में लगभग 04 मकान ऐसे हैं जिसका लगभग 40% भाग रिज वन भूमि के अंतर्गत आता है (संलग्न: KML फाईल के स्क्रीनशॉट व विभागीय मानचित्र की प्रति) ।
2. उपरोक्त खसरे में बने अवैध मकानों में लगभग 60 लोग रहते हैं ।
3. दिनांक 01/09/2025 को खसरा न0 1978 में बने अवैध बोरवेल (G-1 2038) को हटा दिया गया था, जो लगभग 40 गज के अवैध कब्जे में बना हुआ था, अवैध कब्जा हटवाकर विभागीय बोर्ड लगा दिया गया था और पौधारोपण करा दिया गया था ।

अतः आपसे अनुरोध है कि कार्यालय द्वारा माननीय SDM महारौली को इस संबंध में पत्र लिखने की कृपा करे ताकि अग्रिम कार्यवाही अमल में लाई जा सके ।

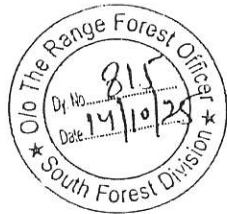
रिपोर्ट सूचनार्थ प्रस्तुत है ।

संलग्न: मौके के फोटोग्राफ ।

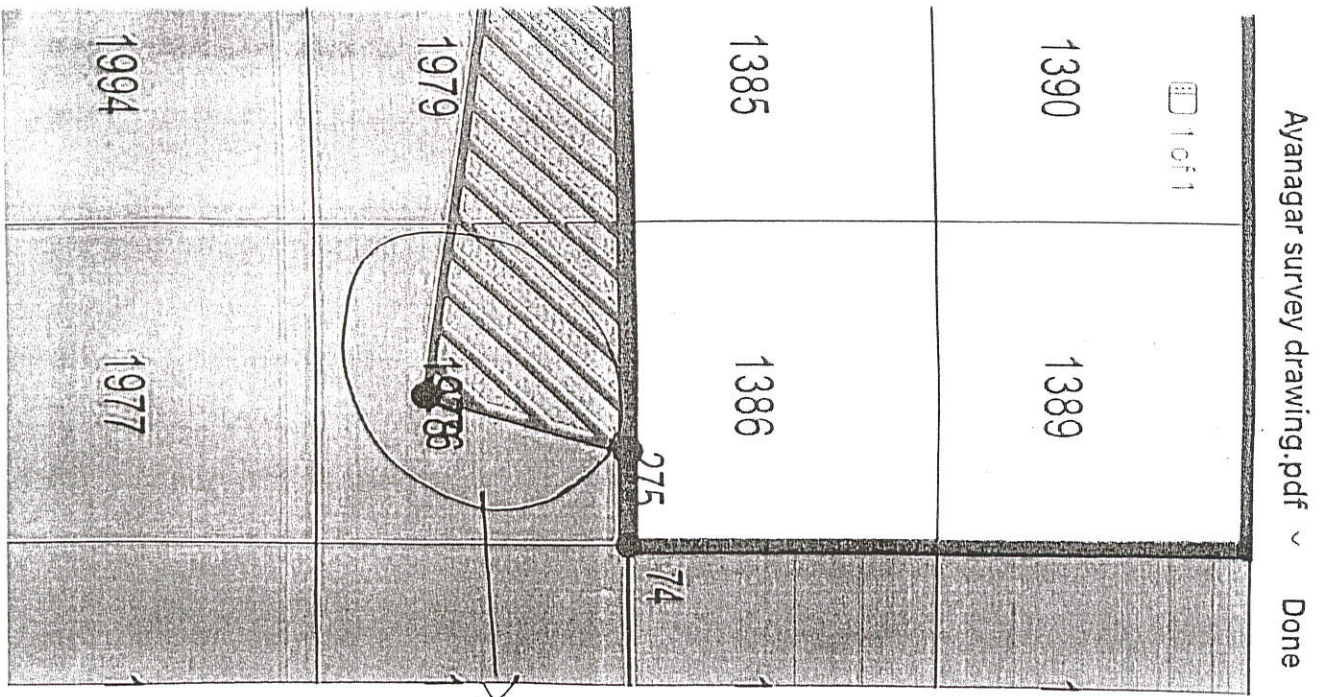
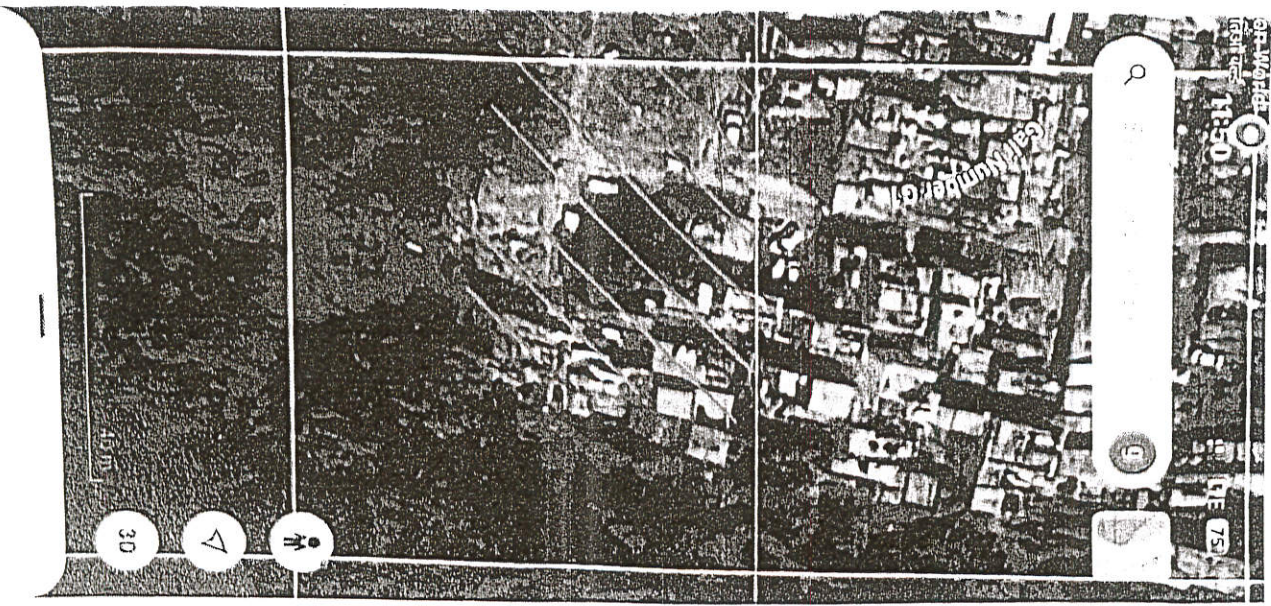
forward to DRO(S)  
for necessary work please

Pawan Kumar  
14/10/2025  
(forester)

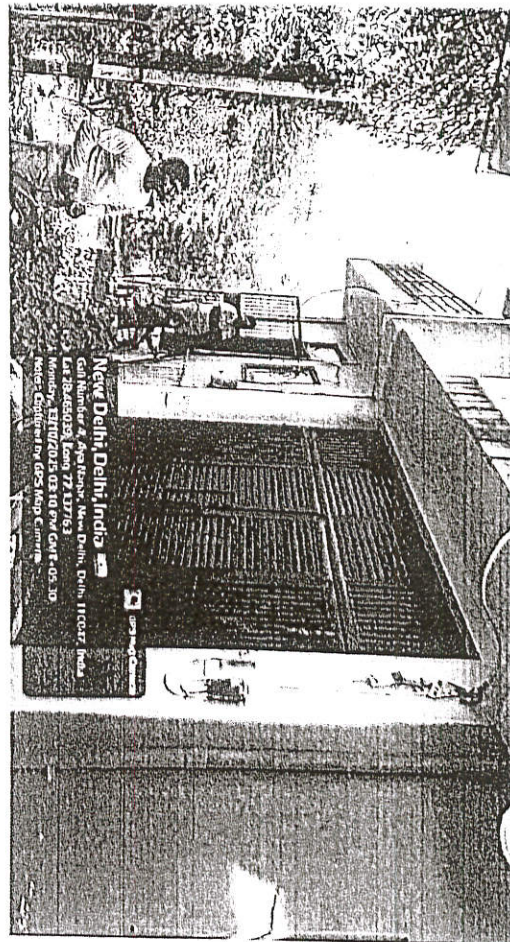
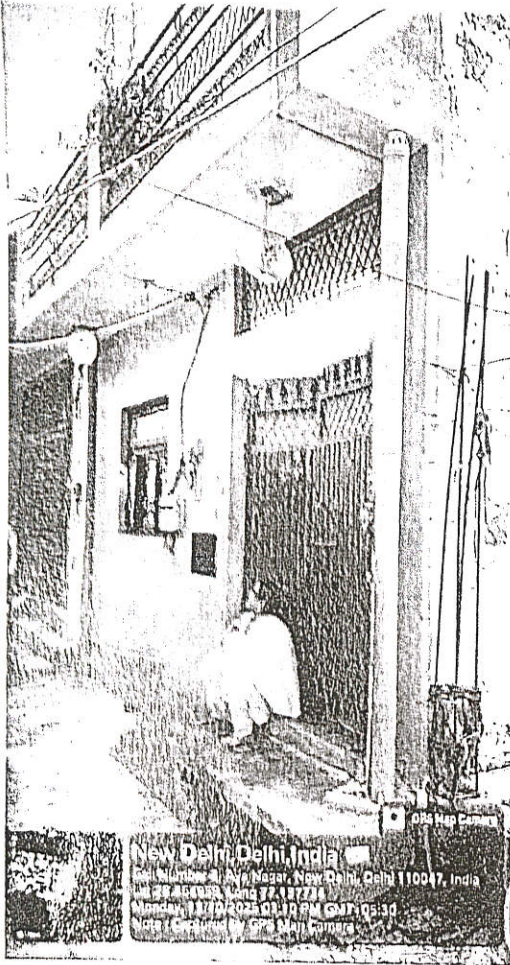
forward to RO(S)  
In. wa. hp  
14/10/25  
DEALS



भवदीय  
Ganesh Singh  
गौरव 14/10/2025  
वन रक्षक  
आयानगर



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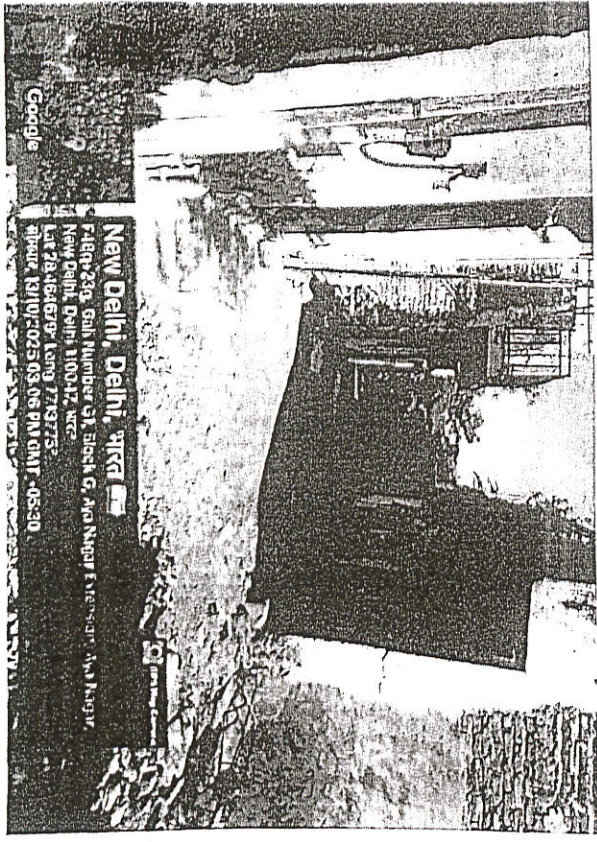
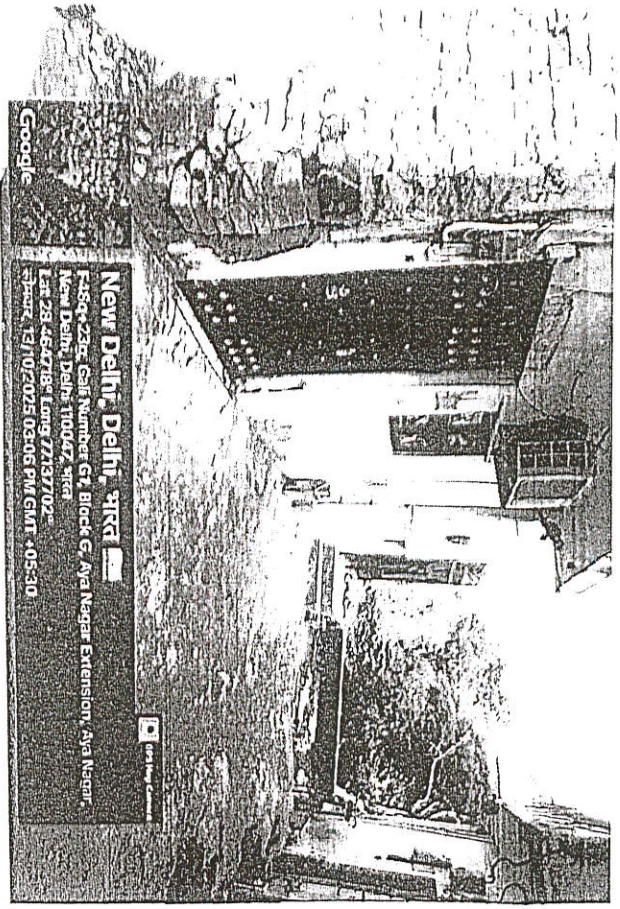


Google

**New Delhi, Delhi, भारत**

F-184+236 Gali Number G/1 Block G, Aya Nagar Extension, Aya Nagar  
 New Delhi, Delhi 110047, India  
 Lat: 28.464718° Long: 77.137702°  
 Phone: 13/1072025 0306 PM GALT +05:30

© 2014 Map Data



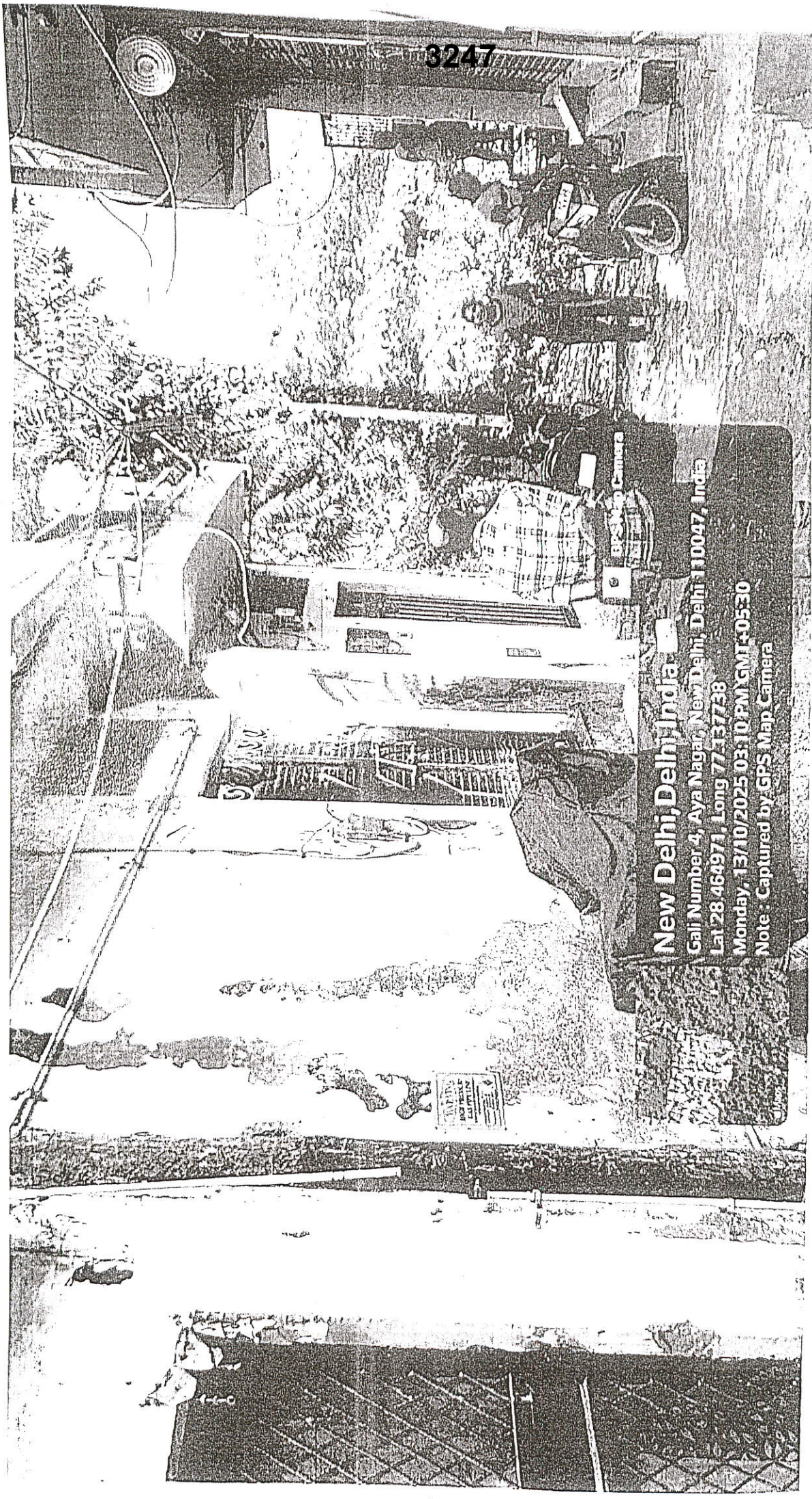
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3247



**New Delhi, Delhi, India**

Gali Number 4, Aya Nagar, New Delhi, Delhi 110047, India

Lat 28.464971, Long 77.137738

Monday, 13/10/2025 03:10 PM GMT+05:30

Note: Captured by GPS Map Camera

GPS Map Camera

NO ENTRY  
FOR VEHICLES

## URGENT COURT MATTER



**GOVERNMENT OF NCT OF DELHI**  
**DEPARTMENT OF FORESTS & WILDLIFE**  
**OFFICE OF DEPUTY CONSERVATOR OF FORESTS(SOUTH)**  
**NEAR DR. KARNI SINGH SHOOTING RANGE**  
**TUGHLAKABAD, NEW DELHI- 110044.**

F. No. 65/DCF(S)/Land/Ayanagar/22-23/ 4113-16

Dated: 29/09/2025

To,

The SDM (Saket)  
DM Office Complex  
M.B. Road Saket  
New Delhi- 110023.

**Sub: Regarding removal of encroachment in Khasra no. 1978, 1979, 1980, 1981, and 1982, Village Aya Nagar, New Delhi.**

Sir,

This is to inform that khasra no. 1978, 1979, 1980, 1981 and 1982 in village Aya Nagar is forest land as per notification no. F.10(42)-I/PA/DCF/93/2012-17(I) dated 24.05.1994 and Notification no. F1(29)/PA/DC/96 dated 02.04.1996.

Also, as per affidavit filed by Revenue Department on 05.04.2019 before Hon'ble NGT in the O.A no. 58/2013 in the matter of Sonya Ghosh vs Govt. of NCT of Delhi these khasras nos. 1978, 1979, 1980 and 1981 in village Aya Nagar are encroached as Unauthorized Colony on forest/ridge land under South Forest Division. Demarcation of said land was carried out in the matter of O.A no. 58/2013 Sonya Ghosh vs GNCTD as per the directions of the Hon'ble National Green Tribunal.

Further, a demolition was scheduled in the aforementioned Khasras; however, the encroachers approached the Hon'ble High Court of Delhi and challenged the same. The Hon'ble High Court of Delhi, vide order dated 29.02.2024, disposed of two writ petitions titled "Adarsh Enclave Residents Welfare Association (Regd.) vs. GNCTD, W.P.(C) No. 3086/2024" and "Devki Devi vs. GNCTD & Ors., W.P.(C) No. 3088/2024", with a direction to the Deputy Conservator of Forests (South) to decide the

representations submitted by the petitioners within six weeks from the date of receipt of such representations. The relevant part of the order dated 29.02.2024 is read as follows:

*"...15. After considering the arguments of the learned counsel for the parties, this Court is of the considered opinion that since the notice pertains only to khasra Nos. 1978, 1979, 1980, 1981 and 1982 of Revenue Estate of Village Aya Nagar read with the admission that so far as khasra Nos. 1383, 1384, 1385 and 1386 and khata No. 232/141 situated in the revenue estate of Village Aya Nagar, New Delhi now known as Adarsh Enclave, Phase-VI, Aya Nagar, New Delhi is concerned, the said land does not belong to the Forest Department, it is prima facie, apparent that the question of demolition does not arise.*

\*\*\*

*17. Petitioners are at liberty to approach the Deputy Conservator of Forest with a suitable representation with the relevant documents in their possession. The Deputy Conservator of Forest shall consider the same in accordance with law and pass a reasoned order thereon within six weeks of submissions of such representation, if any."*

(Copy of the order dated 29.02.2024 is enclosed herewith)

It is further pertinent to mention that on 06.04.2024, a brief representation was received by the office of the DCF(S) from Adarsh Enclave Residents Welfare Association (Regd.). The said representation was duly considered and disposed of vide order dated 26.05.2025. The relevant portion of the order reads as follows:

*"The submitted representation by the Petitioner to the undersigned office appears to be false and lacks merit. The accompanying documents fail to adequately substantiate the petitioner's claim of ownership. None of parties are able to provide any registered document in order to claim their ownership rights over the notified forest land.*

*It is further noted that though the Petitioner have also pleaded ownership by way of adverse possession on the ground that they have been in possession of the case property for last 30 years, however, the same plea cannot be accepted over the encroached government land. Further, as per the Revenue records, the land in question is identified as Gaon Shaba land, indicating that it is not rightfully owned by the petitioner..."*

(Copy of the order dated 26.05.2025 is enclosed herewith)

Further, a matter is pending before Hon'ble National Green Tribunal, i.e., Original Application No. 639/2022 in the matter of Pritipal Sharma (Applicant) vs Department of Environment & Ors., involving area mentioned above.

In view of the above, it is requested to schedule the demolition on Kharsas nos. 1978, 1979, 1980, 1981 and 1982 through STF.

This issue is with the approval from Competent Authority.

Yours faithfully,

  
Range Officer  
South Forest Division  
29/9/25

Encl. as above

Copy to:

1. District Magistrate, South, M. B. Road, Saket, New Delhi, for kind information.
2. The Deputy Conservator of Forest, South Forest Division, Department of Forest & Wildlife, Shooting Range, Tughlakabad, New Delhi- 110044, for kind information.
3. The Deputy Conservator of Forests (P&M), Department of Forest & Wildlife, Vikas Bhawan, 2<sup>nd</sup> Floor, IP Estate, New Delhi- 110002, for kind information.

  
Range Officer  
South Forest Division  
29/9/25



\$~57

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Judgment delivered on: 29.02.2024

+ W.P.(C) 3086/2024

ADARSH ENCLAVE  
RESIDENTS WELFARE ASSOCIATION (REGD)

..... Petitioner

versus

GOVERNMENT OF NCT OF DELHI

..... Respondent

**Advocates who appeared in this case:**

For the Petitioner : Mr. Sunil Chaudhary and Ms. Preeti Shah, Advocates.

For the Respondent : Ms. Hetu Arora Sethi, ASC for GNCTD.

**CORAM:**

**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

**JUDGMENT**

**TUSHAR RAO GEDELA, J. (ORAL)**

**[ The proceeding has been conducted through Hybrid mode ]**

**CM APPL. 12736/2024 (for exemption)**

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

**W.P.(C) 3086/2024 & CM APPL. 12735/2024 (for interim directions)**

3. This is a writ petition under Article 226 of the Constitution of India, 1950, *inter alia*, seeking the following reliefs:-



2024:DHG:1638



"a) issue a writ in the nature of prohibition, prohibiting the respondent from taking any action / carry out demolition in the properties of the residents of the petitioner situated in khasra nos. 1383, 1384, 1385 and 1386, khata nos. 232/141, situated in the revenue estate of Village Aya Nagar, New Delhi now known as Adarsh Enclave, Phase-VI, Aya Nagar, New Delhi without following the due process of law;

b) issue a writ in the nature of prohibition, prohibiting the respondent from dispossessing the residents of the Petitioner from their properties/ houses constructed in khasra nos. 1383, 1384, 1385 and 1386, khata nos. 232/141, situated in the revenue estate of Village Aya Nagar, New Delhi now known as Adarsh Enclave, Phase-VI, Aya Nagar, New Delhi, without following the due process of law;

c) issue a writ in the nature of mandamus or direction to the respondent to grant personal hearings to the residents of the petitioner before carrying out any demolition activity further the respondent be directed to conduct proper enquiry and supply the copy of the notice / proceedings / order if any for demolition / vacation of the property to the residents of the petitioner; "

4. Learned counsel appearing for the petitioner submits that though there is no document on record to show the title as of now, however, the members of the petitioner association, have been in possession of their respective constructed portions from almost 12-15 years.

5. Learned counsel also invites attention of this Court to the Electricity bills indicating the dates of energisation of the electric supply of some of the members of the petitioner association, to indicate the various dates from when the petitioners were in possession of that particular parcels of land, on which they are stated to have made constructions.

6. Learned counsel further submits that the petitioner association



2024 : DHC : 1638



falls within the khasra Nos. 1383, 1384, 1385 and 1386 and khata No. 232/141 situated in the revenue estate of Village Aya Nagar, New Delhi now known as Adarsh Enclave, Phase-VI, Aya Nagar, New Delhi. He submits that no prior notice for carrying out any demolition was ever issued by the respondent – Forest Department and suddenly, without any notices, the Forest Department had commenced carrying out demolitions of some properties of some of the members of the petitioner association.

7. He further submits that even it would be assumed that the land pertained to the Forest Department, though without admitting to the same, the demolitions could not have been carried out without issuing a basic show cause notice before such action is initiated.

8. He submits that the members of the petitioner association must be protected. He further submits that apart from that, there is no report of demarcation nor the petitioners were ever made participants to the demarcation, if even carried out by the department. As such, without demarcation, the Forest Department claiming/ re-claiming the portions of the aforesaid khasra numbers on the basis that it belongs to the Forest Department, would be violation of law.

9. Issue Notice.

10. Notice is accepted by Ms. Hetu Arora Sethi, learned ASC for GNCTD.

11. Learned ASC vehemently refutes the submissions made by the learned counsel for the petitioner. She submits that contrary to what has been submitted, by way of the notices dated 16.02.2024 and 21.02.2024, the notices have been issued to the members of the petitioner association directing them to vacate the area so as to enable the respondent



2024:DHC:1638



Department to demolish the properties and re-claim the said khasra numbers.

12. She submits that the said notice was issued in respect of khasra Nos. 1978, 1979, 1980, 1981 and 1982 of Revenue Estate of Village Aya Nagar alone. She submits that so far as the khasra numbers petitioner has referred to in his petition, have not, as of now, been issued notices.

13. She also submits that the said khasra numbers are not Forest Lands, and as such, the Forest Department in any case is not re-claiming the same or nor going to carry out any demolitions.

14. She also submits that there are no title documents showing the rights of the petitioner in respect of the khasra numbers that they are claiming to be a part of.

15. After considering the arguments of the learned counsel for the parties, this Court is of the considered opinion that since the notice pertains only to khasra Nos. 1978, 1979, 1980, 1981 and 1982 of Revenue Estate of Village Aya Nagar read with the admission that so far as khasra Nos. 1383, 1384, 1385 and 1386 and khata No. 232/141 situated in the revenue estate of Village Aya Nagar, New Delhi now known as Adarsh Enclave, Phase-VI, Aya Nagar, New Delhi is concerned, the said land does not belong to the Forest Department, it is *prima facie*, apparent that the question of demolition does not arise.

16. In the considered opinion of this Court, the aforesaid statement should be sufficient to protect the petitioners. However, in case there is any other issue left, the petitioners are at liberty to take appropriate remedies in accordance with law so as to protect their rights.



2024:DHC:1538



17. Petitioners are at liberty to approach the Deputy Conservator of Forest with a suitable representation with the relevant documents in their possession. The Deputy Conservator of Forest shall consider the same in accordance with law and pass a reasoned order thereon within six weeks of submissions of such representation, if any.

18. With the aforesaid directions, the present petition along with pending application is disposed of.

19. Order *Dasti* under the signatures of Court Master.

FEBRUARY 29, 2024  
*nd*

TUSHAR RAO GEDELA, J

135/e

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS  
SOUTH FOREST DIVISION  
NEAR DR. KARNI SINGH SHOOTING RANGE  
TUGHLAKABAD, NEW DELHI - 110044

F.No. 150/DCF(S)/Legal/23-24/ 947-48

Date: 26/05/2025

In the matter of:

W.P. (C) 3086/2024,  
'ADARSH ENCLAVE RESIDENTS WELFARE ASSOCIATION.  
VS.  
GOVERNMENT OF NCT OF DELHI & ORS.'

In compliance with the directions of the Hon'ble High Court of Delhi.

SPEAKING ORDER

In accordance with the directions of the Hon'ble Delhi High Court, in the matter named & styled as "Adarsh Enclave Residents Welfare Association Vs. Government of NCT of Delhi & Ors, W.P. (C) 3086/2024, order dated 29.02.2024", the Petitioner welfare association filed a Representation before the undersigned's office 05.04.2024.

That thereafter notice was sent and the matter was scheduled for hearing on 05.04.2024. On the specified date, the Petitioner, along with their counsel, appeared before the undersigned. Following the hearing, the petitioner was directed to produce all the records and provide all the documents with respect to the subject land to the undersigned before the next date of hearing and a complete and proper representation before the next date of hearing. That the petitioner neither filed the complete representation nor produce all the records before the office of the undersigned.

That after waiting for long, a notice dated 21.03.2025 was issued from the office of the undersigned vide which the petitioner was directed to appear before the undersigned on 02.04.2025 at 1:00 PM with all the documents and records with respect to the subject land.

134/4

On the said date i.e., 02.04.2025, the petitioner had appeared and sought some time to file the documents. Consequently, Last and final opportunity to file the documents were given and on 11.04.2025 at 2:00 PM the petitioners appeared again explained all the facts of the case but failed to file any documents, in the interest of justice one more opportunity was given to the petitioners to file the documents. On 28.04.2025 a representation was received in the office of Dy. Conservator of Forests (South).

**THE CLAIM OF THE PETITIONER:**

The applicant through present representation are seeking cancellation of notice bearing no.F.No. 65/DCF(S)/Land/Aya Nagar/2022-23/15220-27 dated 27.02.2024 & consequent actions thereupon, since the due process has not been followed issued by this office and issuing directions to all concerned not to cause any kind of harm to the properties/houses of the Applicants.

It is averred that the Petitioner built their respective houses and had been residing along with their families since decades and have various proofs of possession like Aadhar Card, Election ID Card, Electricity Bill etc., to show continuous and uninterrupted possession of the case property from last more than 2 decades.

**FINDINGS OF THE CASE:**

The submitted representation by the Petitioner to the undersigned office appears to be false and lacks merit. The accompanying documents fail to adequately substantiate the petitioner's claim of ownership. None of parties are able to provide any registered document in order to claim their ownership rights over the notified forest land.

It is further noted that though the Petitioner have also pleaded ownership by way of adverse possession on the ground that they have been in possession of the case property for more than 2 decades, however, the same plea cannot be accepted over the encroached government land. Further, as per the Revenue records, the land in question are identified as Gaon Shaba land, indicating that it is not rightfully owned by the petitioner.

133/2

Further the electricity connection is barely of any relevance to the facts of this particular case. However, the same does not confer any right in favour of the plaintiff, Hon'ble High Court of Delhi in judgment bearing no. W.P.(C) 6569/2018 & CM APPL. 25073/2018 titled: Ved Pal Versus Lt. Governor & Ors, directed as under:

*"13. The petitioner has annexed an electricity bill for the year 2014, which is in his name. He contends that the said electricity bill shows the billing address as "519 G/F Road No-0 Ghitorni N. near Suri Farm New Delhi 110030". The address mentioned in the electricity bill does not mention the Khasra number as that of the land in question. Even if it is assumed that the annexed bill is in relation to the land in question, the same does not confer any right in favour of the petitioner."*

Further the land in question proposed as Reserved Forest and an intention under section 4 of the Indian Forest Act, 1927 vide notification dated 24.05.1994 has already been done. And as per Hon'ble Supreme Court order FC Act applies on section 4 land also.


Moreover statutory bar in terms of section 5 of the Indian Forest Act, 1927 and no right shall be acquired to or over the land comprised in the notification under section 4 of the Indian Forest Act 1927 except by succession or under a grant or contract in writing executed or entered into by or on behalf of the government by the competent person.

Further the in accordance with the directions issued by Hon'ble National Green Tribunal, in the case of Sonya Ghose vs GNCTD & Ors, The Divisional Commissioner, filed a detailed affidavit in which the Khasra i.e 1978,1979,1980,1981 and 1982 of village Aya Nagar is mentioned which belongs to the forest department and several directions are/were also issued to reserve the above mentioned Khasra's of the village for the forest department.

Further petitioner claims that there is error in 2019 demarcation which was done under the direction of Hon'ble National Green Tribunal by the revenue department. It is pertinent to mention Department of Forest and Wildlife/ DCF is not a competent authority to carry out any re-demarcation. In view of the above the petitioners are of the liberty to approach the competent authority for their prayer of re-demarcation.

132/2

Therefore, the matter is disposed off.

  
Dy. Conservator of Forest  
(South Forest Division)

To,

The Adarsh Enclave Residents Welfare Association


Having registered office at:

D-215, Bandh Road, Aya Nagar Extension,

New Delhi - 110047

Copy to:

1. The Conservator of Forest, Department of Forest and Wildlife, GNCTD, 2<sup>nd</sup> Floor, A-Block, Vikas Bhawan, I.P. Estate, New Delhi-110003, for kind information.

  
Dy. Conservator of Forest  
(South Forest Division)

## URGENT COURT MATTER



**GOVERNMENT OF NCT OF DELHI**  
**DEPARTMENT OF FORESTS & WILDLIFE**  
**OFFICE OF DEPUTY CONSERVATOR OF FORESTS (SOUTH)**  
**NEAR DR. KARNI SINGH SHOOTING RANGE**  
**TUGHLAKABAD, NEW DELHI- 110044.**

F. No. 65/DCF(S)/Land/Ayanagar/22-23/ 4249-52

Dated: 6/10/25

To,

The SDM (Saket)  
DM Office Complex  
M.B. Road Saket  
New Delhi- 110023.

**Sub: Reminder regarding removal of encroachment in Khasra no. 1978, 1979, 1980, 1981, and 1982, Village Aya Nagar, New Delhi.**

**In Ref: Letter no. 65/DCF(S)/Land/Ayanagar/22-23/4113-16 dated 29.09.2025  
(Copy enclosed)**

Sir,

This is to inform that a letter bearing no. 65/DCF(S)/Land/Ayanagar/22-23/4113-16 dated 29.09.2025 had been issued regarding removal of encroachment from khasra no. 1978, 1979, 1980, 1981 and 1982 in village Aya Nagar, New Delhi which is forest land as per notification no. F.10(42)-I/PA/DCF/93/2012-17(I) dated 24.05.1994 and Notification no. F1(29)/PA/DC/96 dated 02.04.1996.

Also, as per affidavit filed by Revenue Department on 05.04.2019 before Hon'ble NGT in the O.A no. 58/2013 in the matter of Sonya Ghosh vs Govt. of NCT of Delhi these khasras nos. 1978, 1979, 1980 and 1981 in village Aya Nagar are encroached as Unauthorized Colony on forest/ridge land under South Forest Division. Demarcation of said land was carried out in the matter of O.A no. 58/2013 Sonya Ghosh vs GNCTD as per the directions of the Hon'ble National Green Tribunal.

Further, a demolition was scheduled in the aforementioned Khasras; however, the encroachers approached the Hon'ble High Court of Delhi and challenged the same. The Hon'ble High Court of Delhi, vide order dated 29.02.2024, disposed of two writ petitions titled "Adarsh Enclave Residents Welfare Association (Regd.) vs. GNCTD, W.P.(C) No. 3086/2024" and "Devki Devi vs. GNCTD & Ors., W.P.(C) No. 3088/2024", with a direction to the Deputy Conservator of Forests (South) to decide the representations submitted by the petitioners within six weeks from the date of receipt of such representations. The relevant part of the order dated 29.02.2024 is read as follows:

*"...15. After considering the arguments of the learned counsel for the parties, this Court is of the considered opinion that since the notice pertains only to khasra Nos. 1978, 1979, 1980, 1981 and 1982 of Revenue Estate of Village Aya Nagar read with the admission that so far as khasra Nos. 1383, 1384, 1385 and 1386 and khata No. 232/141 situated in the revenue estate of Village Aya Nagar, New Delhi now known as Adarsh Enclave, Phase-VI, Aya Nagar, New Delhi is concerned, the said land does not belong to the Forest Department, it is prima facie, apparent that the question of demolition does not arise.*

\*\*\*

*17. Petitioners are at liberty to approach the Deputy Conservator of Forest with a suitable representation with the relevant documents in their possession. The Deputy Conservator of Forest shall consider the same in accordance with law and pass a reasoned order thereon within six weeks of submissions of such representation, if any."*

It is further pertinent to mention that on 06.04.2024, a brief representation was received by the office of the DCF(S) from Adarsh Enclave Residents Welfare Association (Regd.). The said representation was duly considered and disposed of vide order dated 26.05.2025. The relevant portion of the order reads as follows:

*"The submitted representation by the Petitioner to the undersigned office appears to be false and lacks merit. The accompanying documents fail to adequately substantiate the petitioner's claim of ownership. None of parties are able to provide any registered document in order to claim their ownership rights over the notified forest land.*

*It is further noted that though the Petitioner have also pleaded ownership by way of adverse possession on the ground that they have been in possession of the case property for last 30 years, however, the same plea cannot be accepted over the encroached government land. Further, as per the Revenue records, the land in question is identified as Gaon Shaba land, indicating that it is not rightfully owned by the petitioner... ”*

Further, a matter is pending before Hon'ble National Green Tribunal, i.e., Original Application No. 639/2022 in the matter of Pritipal Sharma (Applicant) vs Department of Environment & Ors., involving area mentioned above.

In view of the above, it is again requested to schedule the demolition on Kharsas nos. 1978, 1979, 1980, 1981 and 1982 through STF.

This issue is with the approval from Competent Authority.

*Yours faithfully,*



6/10/25

**Range Officer  
South Forest Division**

**Encl. as above**

**Copy to:**

1. **District Magistrate, South, M. B. Road, Saket, New Delhi, for kind information.**
2. **The Deputy Conservator of Forest, South Forest Division, Department of Forest & Wildlife, Shooting Range, Tughlakabad, New Delhi- 110044, for kind information.**
3. **The Deputy Conservator of Forests (P&M), Department of Forest & Wildlife, Vikas Bhawan, 2<sup>nd</sup> Floor, IP Estate, New Delhi- 110002, for kind information.**



6/10/25

**Range Officer  
South Forest Division**

## URGENT COURT MATTER



**GOVERNMENT OF NCT OF DELHI**  
**DEPARTMENT OF FORESTS & WILDLIFE**  
**OFFICE OF DEPUTY CONSERVATOR OF FORESTS(SOUTH)**  
**NEAR DR. KARNI SINGH SHOOTING RANGE**  
**TUGHLAKABAD, NEW DELHI- 110044.**

F. No. 65/DCF(S)/Land/Ayanagar/22-23/ 4113-16

Dated: 29/09/2025

To,

The SDM (Saket)  
DM Office Complex  
M.B. Road Saket  
New Delhi- 110023.

**Sub: Regarding removal of encroachment in Khasra no. 1978, 1979, 1980, 1981, and 1982, Village Aya Nagar, New Delhi.**

Sir,

This is to inform that khasra no. 1978, 1979, 1980, 1981 and 1982 in village Aya Nagar is forest land as per notification no. F.10(42)-I/PA/DCF/93/2012-17(I) dated 24.05.1994 and Notification no. F1(29)/PA/DC/96 dated 02.04.1996.

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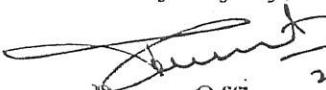
(Copy of the order dated 26.05.2025 is enclosed herewith)

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In view of the above, it is requested to schedule the demolition on Kharsas nos. 1978, 1979, 1980, 1981 and 1982 through STF.

This issue is with the approval from Competent Authority.

*Yours faithfully,*

  
Range Officer  
South Forest Division  
29/9/25

Encl. as above

Copy to:

1. District Magistrate, South, M. B. Road, Saket, New Delhi, for kind information.
2. The Deputy Conservator of Forest, South Forest Division, Department of Forest & Wildlife, Shooting Range, Tughlakabad, New Delhi- 110044, for kind information.
3. The Deputy Conservator of Forests (P&M), Department of Forest & Wildlife, Vikas Bhawan, 2<sup>nd</sup> Floor, IP Estate, New Delhi- 110002, for kind information.

  
Range Officer  
South Forest Division  
29/9/25



2024: DHC: 1638



§~57

\* IN THE HIGH COURT OF DELHI AT NEW DELHI

% Judgment delivered on: 29.02.2024

+ W.P.(C) 3086/2024

ADARSH ENCLAVE  
RESIDENTS WELFARE ASSOCIATION (REGD)

..... Petitioner

versus

GOVERNMENT OF NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. Sunil Chaudhary and Ms. Preeti Shah, Advocates.

For the Respondent : Ms. Hetu Arora Sethi, ASC for GNCTD.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

JUDGMENTTUSHAR RAO GEDELA, J. (ORAL)[ The proceeding has been conducted through Hybrid mode ]CM APPL. 12736/2024 (for exemption)

1. Exemption is allowed, subject to all just exceptions.

2. The application stands disposed of.

W.P.(C) 3086/2024 & CM APPL. 12735/2024 (for interim directions)3. This is a writ petition under Article 226 of the Constitution of India, 1950, *inter alia*, seeking the following reliefs:-



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*"a) issue a writ in the nature of prohibition, prohibiting the respondent from taking any action / carry out demolition in the properties of the residents of the petitioner situated in khasra nos. 1383, 1384, 1385 and 1386, khata nos. 232/141, situated in the revenue estate of Village Aya Nagar, New Delhi now known as Adarsh Enclave, Phase-VI, Aya Nagar, New Delhi without following the due process of law;*

*b) issue a writ in the nature of prohibition, prohibiting the respondent from dispossessing the residents of the Petitioner from their properties/ houses constructed in khasra nos. 1383, 1384, 1385 and 1386, khata nos. 232/141, situated in the revenue estate of Village Aya Nagar, New Delhi now known as Adarsh Enclave, Phase-VI, Aya Nagar, New Delhi, without following the due process of law;*

*c) issue a writ in the nature of mandamus or direction to the respondent to grant personal hearings to the residents of the petitioner before carrying out any demolition activity further the respondent be directed to conduct proper enquiry and supply the copy of the notice / proceedings / order if any for demolition / vacation of the property to the residents of the petitioner; "*

4. Learned counsel appearing for the petitioner submits that though there is no document on record to show the title as of now, however, the members of the petitioner association, have been in possession of their respective constructed portions from almost 12-15 years.

5. Learned counsel also invites attention of this Court to the Electricity bills indicating the dates of energisation of the electric supply of some of the members of the petitioner association, to indicate the various dates from when the petitioners were in possession of that particular parcels of land, on which they are stated to have made constructions.

6. Learned counsel further submits that the petitioner association



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falls within the khasra Nos. 1383, 1384, 1385 and 1386 and khata No. 232/141 situated in the revenue estate of Village Aya Nagar, New Delhi now known as Adarsh Enclave, Phase-VI, Aya Nagar, New Delhi. He submits that no prior notice for carrying out any demolition was ever issued by the respondent – Forest Department and suddenly, without any notices, the Forest Department had commenced carrying out demolitions of some properties of some of the members of the petitioner association.

7. He further submits that even it would be assumed that the land pertained to the Forest Department, though without admitting to the same, the demolitions could not have been carried out without issuing a basic show cause notice before such action is initiated.

8. He submits that the members of the petitioner association must be protected. He further submits that apart from that, there is no report of demarcation nor the petitioners were ever made participants to the demarcation, if even carried out by the department. As such, without demarcation, the Forest Department claiming/ re-claiming the portions of the aforesaid khasra numbers on the basis that it belongs to the Forest Department, would be violation of law.

9. Issue Notice.

10. Notice is accepted by Ms. Hetu Arora Sethi, learned ASC for GNCTD.

11. Learned ASC vehemently refutes the submissions made by the learned counsel for the petitioner. She submits that contrary to what has been submitted, by way of the notices dated 16.02.2024 and 21.02.2024, the notices have been issued to the members of the petitioner association directing them to vacate the area so as to enable the respondent



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Department to demolish the properties and re-claim the said khasra numbers.

12. She submits that the said notice was issued in respect of khasra Nos. 1978, 1979, 1980, 1981 and 1982 of Revenue Estate of Village Aya Nagar alone. She submits that so far as the khasra numbers petitioner has referred to in his petition, have not, as of now, been issued notices.

13. She also submits that the said khasra numbers are not Forest Lands, and as such, the Forest Department in any case is not re-claiming the same or nor going to carry out any demolitions.

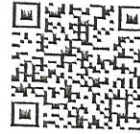
14. She also submits that there are no title documents showing the rights of the petitioner in respect of the khasra numbers that they are claiming to be a part of.

15. After considering the arguments of the learned counsel for the parties, this Court is of the considered opinion that since the notice pertains only to khasra Nos. 1978, 1979, 1980, 1981 and 1982 of Revenue Estate of Village Aya Nagar read with the admission that so far as khasra Nos. 1383, 1384, 1385 and 1386 and khata No. 232/141 situated in the revenue estate of Village Aya Nagar, New Delhi now known as Adarsh Enclave, Phase-VI, Aya Nagar, New Delhi is concerned, the said land does not belong to the Forest Department, it is *prima facie*, apparent that the question of demolition does not arise.

16. In the considered opinion of this Court, the aforesaid statement should be sufficient to protect the petitioners. However, in case there is any other issue left, the petitioners are at liberty to take appropriate remedies in accordance with law so as to protect their rights.



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17. Petitioners are at liberty to approach the Deputy Conservator of Forest with a suitable representation with the relevant documents in their possession. The Deputy Conservator of Forest shall consider the same in accordance with law and pass a reasoned order thereon within six weeks of submissions of such representation, if any.

18. With the aforesaid directions, the present petition along with pending application is disposed of.

19. Order *Dasti* under the signatures of Court Master.

FEBRUARY 29, 2024  
*nd*

TUSHAR RAO GEDELA, J

135/c

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
OFFICE OF THE DEPUTY CONSERVATOR OF FORESTS  
SOUTH FOREST DIVISION  
NEAR DR. KARNI SINGH SHOOTING RANGE  
TUGHLAKABAD, NEW DELHI - 110044

F.No. 150/DCF(S)/Legal/23-24/ 947-48

Date: 26/05/2025

In the matter of:

W.P. (C) 3086/2024,  
'ADARSH ENCLAVE RESIDENTS WELFARE ASSOCIATION.  
VS.  
GOVERNMENT OF NCT OF DELHI & ORS.'

In compliance with the directions of the Hon'ble High Court of Delhi.

SPEAKING ORDER

In accordance with the directions of the Hon'ble Delhi High Court, in the matter named & styled as "Adarsh Enclave Residents Welfare Association Vs. Government of NCT of Delhi & Ors, W.P. (C) 3086/2024, order dated 29.02.2024", the Petitioner welfare association filed a Representation before the undersigned's office 05.04.2024.

That thereafter notice was sent and the matter was scheduled for hearing on 05.04.2024. On the specified date, the Petitioner, along with their counsel, appeared before the undersigned. Following the hearing, the petitioner was directed to produce all the records and provide all the documents with respect to the subject land to the undersigned before the next date of hearing and a complete and proper representation before the next date of hearing. That the petitioner neither filed the complete representation nor produce all the records before the office of the undersigned.

That after waiting for long, a notice dated 21.03.2025 was issued from the office of the undersigned vide which the petitioner was directed to appear before the undersigned on 02.04.2025 at 1:00 PM with all the documents and records with respect to the subject land.

134/✓

On the said date i.e., 02.04.2025, the petitioner had appeared and sought some time to file the documents. Consequently, Last and final opportunity to file the documents were given and on 11.04.2025 at 2:00 PM the petitioners appeared again explained all the facts of the case but failed to file any documents, in the interest of justice one more opportunity was given to the petitioners to file the documents. On 28.04.2025 a representation was received in the office of Dy. Conservator of Forests (South).

THE CLAIM OF THE PETITIONER:

The applicant through present representation are seeking cancellation of notice bearing no.F.No. 65/DCF(S)/Land/Aya Nagar/2022-23/15220-27 dated 27.02.2024 & consequent actions thereupon, since the due process has not been followed issued by this office and issuing directions to all concerned not to cause any kind of harm to the properties/houses of the Applicants.

It is averred that the Petitioner built their respective houses and had been residing along with their families since decades and have various proofs of possession like Aadhar Card, Election ID Card, Electricity Bill etc., to show continuous and uninterrupted possession of the case property from last more than 2 decades.

FINDINGS OF THE CASE:

The submitted representation by the Petitioner to the undersigned office appears to be false and lacks merit. The accompanying documents fail to adequately substantiate the petitioner's claim of ownership. None of parties are able to provide any registered document in order to claim their ownership rights over the notified forest land.

It is further noted that though the Petitioner have also pleaded ownership by way of adverse possession on the ground that they have been in possession of the case property for more than 2 decades, however, the same plea cannot be accepted over the encroached government land. Further, as per the Revenue records, the land in question are identified as Gaon Shaba land, indicating that it is not rightfully owned by the petitioner.

132/2

Further the electricity connection is barely of any relevance to the facts of this particular case. However, the same does not confer any right in favour of the plaintiff, Hon'ble High Court of Delhi in judgment bearing no. W.P.(C) 6569/2018 & CM APPL. 25073/2018 titled: Ved Pal Versus Lt. Governor & Ors, directed as under:

*"13. The petitioner has annexed an electricity bill for the year 2014, which is in his name. He contends that the said electricity bill shows the billing address as "519 G/F Road No-0 Ghitorni N. near Suri Farm New Delhi 110030". The address mentioned in the electricity bill does not mention the Khasra number as that of the land in question. Even if it is assumed that the annexed bill is in relation to the land in question, the same does not confer any right in favour of the petitioner."*

Further the land in question proposed as Reserved Forest and an intention under section 4 of the Indian Forest Act, 1927 vide notification dated 24.05.1994 has already been done. And as per Hon'ble Supreme Court order FC Act applies on section 4 land also.


Moreover statutory bar in terms of section 5 of the Indian Forest Act, 1927 and no right shall be acquired to or over the land comprised in the notification under section 4 of the Indian Forest Act 1927 except by succession or under a grant or contract in writing executed or entered into by or on behalf of the government by the competent person.

Further the in accordance with the directions issued by Hon'ble National Green Tribunal, in the case of Sonya Ghose vs GNCTD & Ors, The Divisional Commissioner, filed a detailed affidavit in which the Khasra i.e 1978,1979,1980,1981 and 1982 of village Aya Nagar is mentioned which belongs to the forest department and several directions are/were also issued to reserve the above mentioned Khasra's of the village for the forest department.

Further petitioner claims that there is error in 2019 demarcation which was done under the direction of Hon'ble National Green Tribunal by the revenue department. It is pertinent to mention Department of Forest and Wildlife/ DCF is not a competent authority to carry out any re-demarcation. In view of the above the petitioners are of the liberty to approach the competent authority for their prayer of re-demarcation.

132/c


Therefore, the matter is disposed off.

  
Dy. Conservator of Forest  
(South Forest Division)

To,  
The Adarsh Enclave Residents Welfare Association  
Having registered office at:  
D-215, Bandh Road, Aya Nagar Extension,  
New Delhi - 110047

Copy to:

1. The Conservator of Forest, Department of Forest and Wildlife, GNCTD, 2<sup>nd</sup> Floor, A-Block, Vikas Bhawan, I.P. Estate, New Delhi-110003, for kind information.

  
Dy. Conservator of Forest  
(South Forest Division)