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

+ W.P.(C) 17785/2022 & CM APPL. 56827-56828/2022

KHANPUR MARKET ASSOCIATION REGD. ... Petitioner

Through: Mr. Shoaib Khan & Mr. Fahim
Khan, Advocates.

versus

DELHI URBAN SHELTER IMPROVEMENT BOARD
(DUSIB) & ORS. Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

02.01.2023

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CM APPL. 56828/2022 (for exemption from filing certified copies of annexures)

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

W.P.(C) 17785/2022 & CM APPL. 56827/2022 (for ex-parte interim stay from eviction and demolition of the shops / jhuggies)

3. The present petition is filed impugning the notice dated 27.12.2022 issued by Delhi Urban Shelter Improvement Board (DUSIB).
4. By impugned public notice, it is directed that the belongings from the earmarked shops be removed within seven days from the date of notice.

5. It is alleged in the notice that the earmarked shops are constructed unauthorizedly on the land belonging to DUSIB.

6. Learned counsel for the petitioner submits that the members of the petitioner association are in possession of shops in question for more than last 50 years. He further submits that the impugned notice has been issued without any opinion being formed by the appropriate Government on Social Impact Assessment (SIA) Study. He submits that the consideration on the said study is mandatory in terms of the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The same was the subject matter of an earlier writ petition filed before this Court being W.P.(C) No.14196/2022 and despite the observation made by this Court in order dated 06.10.2022, no action was taken and the impugned notice has been issued.

7. None appears despite the advance service on the respondents.

8. On petitioner taking steps, issue notice to respondents, by all permissible modes.

9. In the meantime, till the next date of hearing the respondents are directed to maintain the *status quo* with regard to the shops in possession of the members of the petitioner association.

10. List on 14.02.2023.

AMIT MAHAJAN, J
(VACATION JUDGE)

JANUARY 2, 2023
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