



2026:DHC:5308



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

Date of decision: 02.07.2026

+ W.P.(C) 8575/2026, CM APPL. 40184/2026 (Stay) & CM APPL. 40185/2026 (exemption)

BHARTI

.....Petitioner

Through: Mr. Shekhar Nanavaty, Adv.

versus

DELHI CANTONMENT BOARD & ANR.Respondents

Through: Mr. Tarveen Singh Nanda,
Advocate for Delhi Cantonment
Board

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+ W.P.(C) 8576/2026, CM APPL. 40186/2026 (Stay) & CM APPL. 40187/2026 (exemption)

SUNIL KUMAR

.....Petitioner

Through: Mr. Shekhar Nanavaty, Adv.

versus

DELHI CANTONMENT BOARD & ANR.Respondents

Through: Mr. Tarveen Singh Nanda,
Advocate for Delhi Cantonment
Board

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+ W.P.(C) 8577/2026, CM APPL. 40188/2026 (Stay) & CM APPL. 40189/2026 (exemption)

PRIYANKA

.....Petitioner

Through: Mr. Shekhar Nanavaty, Adv.

versus



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DELHI CANTONMENT BOARD & ANR.Respondents
Through: Mr. Tarveen Singh Nanda,
Advocate for Delhi Cantonment
Board

CORAM:
**HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR**

JUDGEMENT (Oral)

1. By this common Order, and with the consent of the parties, the above-captioned Writ Petitions are being disposed of together, as they arise out of almost identical facts and involve common questions for consideration.

2. The present Writ Petitions, under Article 226 & 227 of the Constitution of India, challenge the Orders/ Notices dated 28.04.2026 passed by the Respondent No.2 and seek the following reliefs:

- “(a) Issue a Writ of Mandamus thereby setting aside the impugned Order/ notice dated 28/04/2026 passed by the respondent no.2, i.e.Ld. Estate Officer, under Section 5A of the Public Premises Eviction Act, 1971 in an arbitrary, illegal, impromptu manner and without following due process of law;
- (b) Issue an appropriate Writ directing the respondent no.2 to issue fresh show cause notice under Section 5 A PPE Act, 1971 and to provide opportunity of being heard/proper hearing in terms of the well established principle of natural justice without any premeditated mindset, in the interest of justice and fair play;
- (c) Issue an appropriate Writ thereby restraining the respondent No.1-department from taking any detrimental action against the petitioner till the proper notice is issued/ personal hearing is provided to the petitioner and an order is passed by the respondent no. 2 thereafter, in the interest of justice and fair play.”

3. Learned counsel for the Petitioners, on instructions, submits that the main grievance that is sought to be canvassed relates to the part of the show cause notices which state *“In the event of your refusal or*



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failure to comply with this notice within the period specified above, the said structure shall be removed by the Estate Officer authorised by him and the cost of such removal shall be recovered from you as arrears of land revenue.”

4. Learned counsel for the Petitioners further submits that the show cause notices, in some manner, give an impression that the response of the Petitioners to the said notices would not receive due consideration and that the authorities have already contemplated removal of the alleged unauthorised structures.

5. **Per contra**, learned counsel appearing on behalf of the Respondents, on advance service, submits that the present Petitions have been rendered infructuous inasmuch as the apprehension expressed by the Petitioners no longer survives. He further submits that the learned Estate Officer has already afforded an opportunity of hearing to the Petitioners and, after considering their objections and submissions, has passed an Order dated 04.06.2026. A copy of the said order has been handed over in Court and is taken on record.

6. A perusal of the Order dated 04.06.2026 reveals that the Petitioners were duly represented through learned counsel, their submissions were considered, and the written representation dated 04.06.2026 was also taken on record by the learned Estate Officer.

7. In view of the aforesaid developments, and having regard to the limited challenge raised in the present Petitions, this Court is of the opinion that the grievance sought to be canvassed by the Petitioners stands adequately addressed.

8. Since the Petitioners have already been afforded an opportunity of hearing and their objections have been duly considered by the



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learned Estate Officer, no further orders are called for in the present proceedings.

9. Accordingly, the present Petitions, along with all pending application(s), if any, stand disposed of in the aforesaid terms.

10. A photocopy of this Order be placed in the connected matters.

HARISH VAIDYANATHAN SHANKAR, J
JULY 2, 2026/rk/jk/kv