
(2000) 11 DEL CK 0053

In the Delhi High Court

Case No : C.W. No"s. 4464 of 1992, 4771/93, 154/95, 1184 and 3224/96, 948 and 967/97, 2738 and 3990/98 and 4485 of 2000 and C.M. No"s. 2273, 5617 and 7545/96, 6393 and 8358/98, 6900, 10278 and 10312 of 2000 and 461, 1263 and 1716 of 2001

Common Cause

APPELLANT

Vs

Union of India

RESPONDENT

Date of Decision : 03-11-2000

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : AIR 2001 Delhi 93

Hon'ble Judges : Dr. Arijit Pasayat, C.J.;D.K. Jain, J

Bench : Division Bench

Advocate : Meera Bhatia, Bidyarani, Amit Sharma, Y.D. Nasar, B.R. Sabharwal, Mahesh Srivastava, R.K. Dhillon, Subhash Mittal, Ramesh Vatsa, Anand Yadav and P.K. Mullick, A.S. Chandhiok, Hemant Singh and Manmeet Arora, Geeta Luthra and Pinky Anand, S.K. Kaul, M.K. Singh, Marwah, Geeta Mittal and Jayant Bhusha Hima Kohli, Amita Gupta and Ila Sharma, V.P. Singh and V.K. Shali, Surat Singh and Jagdev Singh, R.K. Aggarwal, for the Appellant;

Judgement

Arijit Pasayat, C.J.—These writ petitions have been essentially filed questioning regularisation of unauthorised colonies. The main plan of challenge is that, without definite guidelines, policy or scheme, regularizations were being effected at the ipse dixit of the authorities. Several interim orders have been passed in the cases. Along with the affidavit dated 13th February, 2001 filed in CWP 4771/93 as amended by the affidavit dated 20th February, 2001, certain guidelines for regularisation of unauthorised colonies have been filed. Since there was no specific challenge to guidelines, if any, the present writ petitions have become infructuous. We note that stand of some is that, we should not put our seal of approval to the guidelines filed. As the applicability of the guidelines or the correctness thereof is not under challenge in any of the writ petitions, the question of our putting seal of approval or otherwise to it does not arise. It has also been urged by some that there is no definite information regarding colonies

to be regularised.

2. We Therefore dispose of the writ petitions with the following directions/ observations:

(a) It would be appropriate if the Union of India, Ministry of Urban Affairs and Employment, Department of Urban Development notifies colonies, which according to it are to be regularised and which cannot be regularised, in terms of General Principles, more particularly, paragraph (1.1) of the guidelines.

(b) Till the modalities in terms of the guidelines are worked out, interim orders passed in CWP 4771/93 and connected petitions shall be operative.

(c) By giving the direction/making observation, it shall not be construed as if we have expressed any opinion about the legality or otherwise of the guidelines in question.

3. All the writ petitions accordingly are disposed of.

4. Writ Petitions disposed of.