



2026:AHC:51725-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 1185 of 2020

Dev Pal

.....Petitioner(s)

Versus

Ghaziabad Development Authority and 4 others

.....Respondent(s)

Counsel for Petitioner(s)	: Ali Qambar Zaidi, Mohd. Danish
Counsel for Respondent(s)	: A.S.G.I., C.S.C., Prabhakar Tripathi, Ravi Prakash Pandey, Rohan Gupta, Tejasvi Misra, K.V. Singh

Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE

HON'BLE KSHITIJ SHAILENDRA, J.

1. This PIL was filed in the year 2020 by the single petitioner seeking a direction to the respondent-Ghaziabad Development Authority not to undertake any further demolition and for eviction of residents at Bhovapur Basti behind Radisson Blue Hotel, Kaushambi, Ghaziabad, U.P.

2. A Coordinate Bench of this Court by order dated 21.10.2020, while granting time to Development Authority to file counter affidavit, issued following interim directions:

“(i) The Ghaziabad Development Authority shall not proceed with demolition of the houses situate in Bhovapur Basti till further orders;

(ii) The District Administration, Ghaziabad shall provide temporary shelter to the residents of Bhovapur Basti whose houses have already been demolished;

(iii) The Development Authority and the State shall see to the viability of providing houses under the Pradhan Mantri Avas Yojna;

(iv) All necessary arrangements shall be made as a temporary measure by the Ghaziabad Development Authority to provide essential amenities including light and water to the residents of Bhovapur Basti till further orders;

(v) All necessary medical facilities are also required to be extended to the residents of Bhovapur Basti.

On the next date of listing of the writ petition, the Ghaziabad Development Authority shall propose a complete plan for

rehabilitation of the residents of Bhovapur Basti.”

3. Pursuant to the said order, a compliance affidavit dated 07.12.2025 has been filed by the Development Authority, *inter alia*, indicating that the Development Authority has carved out a detailed rehabilitation plan in the vicinity of Ghaziabad City and has referred to certain terms of the scheme along with the plan approved at 170th Board Meeting of the Development Authority dated 02.09.2025, which has been annexed as Annexure SCA-1 to the affidavit. Relevant part of the affidavit reads as under:

“3. That, accordingly the respondent Ghaziabad Development Authority had carved out a detail rehabilitation plan in the vicinity of Ghaziabad City not only under Pradhan Mantri Awas Yojna (PMAY) but also the dwelling units available under the Economic Weaker Section (EWS) quota by the private builder. The rehabilitation plan as on today stand approved in the 170th board meeting. The details whereof are as follows: -

A. Under Pradhan Mantri Awas Yojna almost 319 dwelling units.

B. M/S Aradhyam Builders-1- 251 dwelling units.

C. M/S Aradhyam Builders-2- 312 dwelling units.

As on today there are total 1043 dwelling units in which the residents of Bhovapur Basti shall be given accommodation/rehabilitation at priority basis.

4. That, needless to say for getting rehabilitation in the aforesaid scheme the candidate has to fulfilled the eligibility criteria such as:-

a. He should be citizen of India and resident of Ghaziabad City.

b. Must not be less than 18 years of age.

c. He should not possess any other house in his name or in the name of his family.

d. The candidate whose annual income is maximum up to Rs. 3,00,000/- (Rupees Three Lac Only) shall be eligible.

e. The identity proof has to be verified at the office of the District Magistrate, Ghaziabad.

If the aforesaid criteria, as being mandatory, fulfilled by the candidates, they shall be given priority in allotment under the rehabilitation scheme, in terms of the order dated 18.11.2020.

A copy of the rehabilitation plan approved at 170th board meeting of Ghaziabad Development Authority dated 02.09.2025 is being

annexed herewith and marked as Annexure No.SCA-1 to this affidavit.

5. That when the aforesaid criteria is fulfilled, the allottee shall have to pay only Rs. 5000/- for booking and the remaining amount which would be 6 Lacs shall be paid by way of EMI of Rs. 3814/-for a period of 15 years.

6. That it is stated that only when the families is rehabilitated, the demolition shall take place over the land in question situated at bhovapur comprises of an area 15460 Sq.m. (it's a huge chunk of land), wherein the encroachers are involved in trading of Scrap.

7. That in light of the aforesaid facts and circumstances of the case, it humbly prayed before this Hon'ble Court to take the Supplementary Counter Affidavit on record, for proper adjudication of the case.”

4. Counsel for petitioner has no objection to the rehabilitation plan produced by the respondents and submits that if the writ petition is disposed of in terms of the compliance affidavit and the rehabilitation plan proposed by the respondents, petitioner has no objection.

5. In view of the above fact situation, the compliance affidavit is taken on record.

6. The writ petition filed by the petitioner is disposed of in the light of the assertions made in the compliance affidavit as well as the rehabilitation plan as annexed to the compliance affidavit as SCA-1.

(Kshitij Shailendra,J.) (Arun Bhansali,CJ.)

March 13, 2026

P.Sri./Sazia