

ITEM NO.301

COURT NO.13

SECTION XIV

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 12213/2019

[Arising out of impugned final judgment and order dated 20-02-2019 in WPC No. 4099/2018 passed by the High Court of Delhi at New Delhi]

RAJEEV SURI

PETITIONER(S)

VERSUS

ARCHAEOLOGICAL SURVEY OF INDIA & ORS.

RESPONDENT(S)

IA No. 110092/2025 - PERMISSION TO FILE APPLICATION FOR DIRECTION

Date : 11-05-2026 This matter was called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH  
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

[PART-HEARD BY: HON. AHSANUDDIN AMANULLAH AND HON. NONGMEIKAPAM KOTISWAR SINGH, JJ.] [SPECIAL BENCH]

For Petitioner(s) :Mr. Shikhil Shiv Suri, Sr. Adv.  
Mrs. Madhu Suri, Adv.  
Ms. Jyoti Suri, Adv.  
Ms. Wamika Chadha, Adv.  
Mr. Vibhor Choudhary, Adv.  
Mr. Aditya Bhardwaj, Adv.  
Ms. Sakshi Arora, Adv.  
Mr. Deva Vrat Anand, Adv.  
Mr. T. R. B. Sivakumar, AoR

For Respondent(s) :Mr. Amrish Kumar, AoR

Mr. Satya Darshi Sanjay, A.S.G.  
Mr. Sudarshan Lamba, AoR  
Mr. Siddhant Kohli, Adv.  
Mr. Raman Yadav, Adv.  
Mr. Chitvan Singhal, Adv.  
Mr. Mrigank Pathak, Adv.  
Mr. Sarthak Karol, Adv.

Mr. Khushal Kolwar, Adv.

Ms. Aishwarya Bhati, A.S.G.

Mr. Udai Khanna, Adv.

Ms. Shivika Mehra, Adv.

Ms. Sunita Sharma, Adv.

Mr. B. L. N. Shivani, Adv.

Ms. Satvika Thakur, Adv.

Mr. Mohan Prasad Gupta, Adv.

Mr. Yogesh Vats, Adv.

Mr. Shreekant Neelappa Terdal, AoR

Mr. Kanu Agarwal, Adv.

Mr. Raj Bahadur Yadav, AoR

Mr. Arvind Gupta, AoR

Mr. Shubhranshu Padhi, AoR

Ms. Swati Ghildiyal, AoR

Ms. Neha Singh, Adv.

Mr. Rajkumar Bhaskar Thakar Ld, A.S.G.

Mr. Mukesh Kumar Maroria, AoR

Mr. Prasenjeet Mohapatra, Adv.

Mr. Sanjay Kumar Tyagi, Adv.

Ms. Neelakshi Bhadauria, Adv.

Mr. Rishikesh Haridas, Adv.

Mr. S.D. Sanjay, A.S.G.

Mr. Praveen Swarup, AoR

Mr. Devesh Maurya, Adv.

Mr. Rohit Swarup, Adv.

Mr. PR Abhimanyu Karthikeya Raja, Adv.

Ms. Ashu Tomar, Adv.

Mr. Saurabh Rohilla, Adv.

Mr. Sukhamrit Singh, Adv.

Ms. Sakshi, Adv.

Mr. Nitin Mishra, AoR

Mr. S.D. Sanjay, A.S.G.

Mr. Udit Dedhiya, Adv.

Mr. V. N. Raghupathy, AoR

Ms. Apurva Sachdev, Adv.

Mr. Shashank Bajpai, Adv.

Mr. Ankur Mishra, Adv.

Mr. Gurpreet Singh, Adv.

Mr. Nitish Dham, Adv.

Ms. Vidula Mehrotra, AoR

Mr. Gopi Chand, Adv.  
Mr. Vatsal Tripathi, Adv.  
Mr. Govind Singh, Adv.  
Mr. Akshit Saxena, Adv.  
Ms. Vaishnavstuti, Adv.

Mr. Gopal Sankaranaraynan, Sr. Adv., Court  
Commissioner

Ms. Astha Sharma, AoR  
Mr. Nipun Saxena, Adv.  
Ms. Mantika Haryani, Adv.  
Ms. Pratibha Yadav, Adv.  
Mr. Vishal Sinha, Adv.  
Mr. Shourya, Adv.  
Ms. Deepali Dabas, Adv.  
Mr. Dev Nagar, Adv.  
Mr. B. D. Rao Kaundan, Adv.

Mr. Gaurav Liberhan, Adv.  
Ms. Ranjeeta Rohatgi, AoR

O R D E R

We have heard Mr. Gopal Sankaranaraynan, learned Court Commissioner assisted by Ms. Astha Sharma, learned AoR and Mr. Nipun Saxena, learned Advocate., Dr. Swapna Liddle has also assisted the Court, as also the petitioner in-person along with his counsel.

2. We have also heard Mr. S.D. Sanjay, learned Additional Solicitor General for New Delhi Municipal Council (NDMC), Municipal Corporation of Delhi (MCD) and Land & Development Office and Ms. Swati Ghildiyal, learned Counsel appearing for the Government of NCT of Delhi.

3. In terms of our earlier order, Mr. Keshav Chandra, Chairperson, NDMC, is present and has also filed an affidavit. We are thoroughly dissatisfied with the affidavit and are of the opinion that immediate strict action be taken, both against the NDMC as a Body and also the Chairperson(s), present and past. However, before doing so, we request the learned Court Commissioner to give us an actual fact-finding report based on what has been said in the affidavits filed by the various parties. All concerned, be it private or public, including Officials shall fully cooperate with the learned Court Commissioner and his team in the said exercise/inspection.

4. We are constrained to observe that the action/conduct of the NDMC and its officials thoroughly exposes them and show utter and sheer casualness, lack of interest and may be even tacit collusion with the beneficiaries with impunity in violating law, especially in matters relating to preservation of heritage/historical monuments.

5. In the background that despite initial declaration with regard to notifying about 250 monuments in a phased manner by the Government of NCT of Delhi according to Dr. Swapna Liddle, we find that there has been total lack of will to act in the matter, for reasons best

known to it. For the present, we refrain from going into the same and give one more opportunity to it to show its *bonafide*. It has been clarified by Ms. Swati Ghildiyal, learned counsel, that the number is 75, out which, in 35 there is preliminary notification, but with regard to others, still objections are being looked into. We express our deep disappointment and concern with the lackadaisical approach of the Government of NCT of Delhi. We direct that positive steps be taken and the decision taken be brought on record at the earliest.

6. However, the Court would take a view with regard to considering what immediate directions are required, on the next date, upon receipt of report from the learned Court Commissioner. List on 18.05.2026 at 3.45 p.m.

7. The Delhi Golf Club and Panchsheel Public School, Sadhana Enclave, Delhi, be impleaded as party respondents and notice be issued to them. Cause title be amended accordingly, by the Registry.

8. Mr. Gaurav Liberhan, learned counsel submits that he would be appearing on behalf of the Delhi Golf Club. Ms. Ranjeeta Rohatgi, learned Advocate on Record, accepts notice on behalf of the Delhi Golf Club. Hence, formal service of notice is waived on the Delhi Golf Club. Learned counsel for the NDMC shall serve copy of the affidavit filed by it, on learned AoR for the Delhi Golf

Club by tomorrow.

9. Mr. S.D. Sanjay, learned ASG shall produce legible copy of the original lease deed relating to Panchsheel Public School as also the Delhi Golf Club. In addition, learned Court Commissioner may also bring the same on record. On the next date, the Chairperson, NDMC shall be present in Court with the entire records relating to Panchsheel Public School and the Delhi Golf Club.

10. With regard to the central issue of this case, i.e., *Gumti of Shaikh Ali*, learned Counsel for the Government of NCT of Delhi submits that work is going on and they have time till 30.05.2026 to complete the task and the same shall be done within time. We record the stand and further direct that the same be done within the time line fixed. Learned Court Commissioner submits that he will also submit a separate report in respect of the said monument on the next date.

(POOJA SHARMA)  
AR-CUM-PS

(ANJALI PANWAR)  
ASSISTANT REGISTRAR