

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

Writ Petition(s)(Civil) No(s).984/2026

CENTRE FOR LAW AND GOOD GOVERNANCE

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IA No. 233128/2026 - STAY APPLICATION

Date : 12-08-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) :Mr. Ashok K. Mahajan, AOR
Mr. Dr. Surat Singh, Adv.
Mr. Adarsh Tevatia, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. The Centre for Law and Good Governance, a non-political public-spirited academic organization, has approached this Court under Article 32 of the Constitution of India through the instant writ petition, purportedly filed in public interest, seeking direction to the Union of India, State Governments, and Union Territories to formulate a uniform policy regarding regularization and demolition of long-standing unauthorized constructions. For that purpose, the petitioner also seeks appointment of an Expert Committee by this Court to monitor and supervise the formulation and implementation of such policies.

2. It is, *inter alia*, pointed out that State Governments across

the country have, for decades, not only allowed unauthorized colonies and constructions to stand unchallenged, but they have also been facilitating implied regularisation of such development by assessing municipal taxes, sanctioning electricity and water connections, and converting leasehold properties into freehold. Such like policies are said to be *in vogue* in the States of Andhra Pradesh and Telangana and the NCT of Delhi. However, there are other States where the unauthorized colonies constructed decades back are suddenly ordered to be demolished, with or without notice, but without any welfare scheme for rehabilitation of the affected families. It is in this backdrop that the petitioner contends that demolition, being an extreme and irreversible measure, cannot be carried out without a policy that reconciles enforcement of planning laws with the rights to shelter, livelihood, and dignity as guaranteed under Article 21 of the Constitution.

3. The petitioner, thus, prays for this Court to issue various directions, as briefly pointed out at the outset of this order.

4. We have heard learned counsel for the petitioner at a considerable length.

5. While we appreciate the concern of the petitioner-organisation regarding rehabilitation of the persons, whose right to shelter is adversely impacted as a result of demolition, etc., we are also of the view that such issues essentially fall within the State's domain of policy. The factual circumstances vary from State to State and would, therefore, warrant variation in their policy decision as well. It may not be prudent for this Court to lay down

any uniform policy framework to be applied in all the States.

6. That being so, we deem it appropriate to dispose of this petition with liberty to the petitioner to forward a copy of its writ petition to Union of India, the respective State Governments, and the Union Territories, for a competent authority to consider the issues raised therein for the purpose of formulation or revisiting their existing policies.

7. We are hopeful that due consideration shall be given to all such issues by such authority.

8. The Writ Petition, thus, stands disposed of in the above terms.

9. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR