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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 5776/2011

BHOOP SINGH

..... Petitioner

Through: Mr. B.D.Sharma and Mr. S.K.Rout
Advocates.

versus

GAON SABHA RAWTA AND ORS

..... Respondents

Through: Mr. V.K.Tandon, Advocate.

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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25.11.2011

1. This Court is constrained to note that petitions seeking the prayers like the one in the instant petition are quite frequent. The prayer made in this petition is to direct the respondent to record the petitioner's possession in the form Ex.P.5 i.e. for the recording of cultivatory physical possession.
2. It is stated by learned counsel for the respondent that if there is a default at the level of Tehsildar concerned in deciding such application, there is no mechanism under the Delhi Land Reforms Act to seek redressal, even before the Financial Commissioner.
3. Even if it is so, still the defaulting Tehsildar concerned should be held responsible for dereliction of duty in such like matters.
4. Here in the instant case, it is alleged that petitioner's application dated

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13th September, 2010, for recording his possession is pending before the Tehsildar, Najafgarh, Delhi, and it's fate is not known till date.

5. Mr. V.K. Tandon, learned counsel for the respondent, undertakes that he will impress upon the authorities concerned, to evolve such an internal mechanism which provides redressal of grievances like instant one, so that poor persons need not rush to this Court.

6. This petition is disposed of with direction to the concerned Tehsildar to pass a speaking order on petitioner's application dated 13th September, 2010, within four weeks. Needless to say, in case of default, the concerned Tehsildar would face the consequences.

7. Copy of the order be given dasti to counsel for both the sides under the signatures of Court Master.


SUNIL GAUR, J

NOVEMBER 25, 2011

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