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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1139/2013

SUSHIL KUMAR

Through Mr.Shimpy Arman Petitioner
Advocate. Sharma,

versus

S.D.M., (NARELA)

Through Mr.Satyakam, ASC for GNCTD/R-1. Respondent

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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05.09.2016

Demarcation report has been taken on record.

Copy of the same has been furnished to the learned counsel for the petitioner. The averments in the writ petition disclose that the petitioner had purchased certain land along with one Ravi Prakash in the year 1985 which was forming part of Khasra No.96/71 measuring 1050 sq. Yards. Contention is that on 15.02.2013 the respondent authorities carried out demolition of his boundary wall without notice and in the absence of the petitioner. On verbal query he was informed that further demolition programme was fixed for 20.02.2013. Contention is that SDM has no authority to order for demolition of the property which is a part of Khasra No.96/71 forming a part of the extended laldora of Village Holambi Kalan, Delhi and that to without any information or notice to the petitioner.

Prayer in the writ petition was that the respondent be restrained from demolishing and dispossessing the petitioner from his aforementioned property.

Counter affidavit has been filed by the respondent. His vehement contention is that. As per the demolition order, the demolition programme was fixed for 15.02.2013. The encroachment of gaon sabha land was to be removed which was falling in Khasra no.96/70 and Khasra No. 96/76. Copy of the demolition proceedings which were carried on that date has in fact been placed on record and the same are annexed to the affidavit of the respondent. This affidavit and the proceedings show that the demolition programme for removal of the unauthorized and illegal encroachment was qua Khasra No.96/70 and Khasra No.96/76. The land of the petitioner falls in Khasra No.96/71; that land remained untouched.

In view of this stand adopted by the respondent which has come on the affidavit of the respondent petitioner is not pressing his petition any further.

This petition is accordingly disposed of.

INDERMEET KAUR, J

SEPTEMBER 05, 2016
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