

\$~31

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

W.P.(C) 8028/2013 & C.M. No.16982/2013

HEM CHANDER & ORS

..... Petitioners

Through Mr.Madan Lal Sharma, Ms.Nidhi
Sharma, Ms.Vidhi Kumar, Disha
Sharma, Advocates.

versus

CONSOLIDATION OFFICER & ANR

..... Respondents

Through Mr.Naushad Ahmed Khan, ASC
along with Ms.Neelam Kholiya and
Ms.Astha Nigam, Advocates for R-1.
Mr.Ravi Gupta, Sr. Adv. with
Mr.V.P.Rana and Ms.Bhoomija
Verma, Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

%

02.09.2016

The order impugned before this Court is the order passed by the Financial Commissioner dated 22.10.2013 who had passed the aforenoted order remanding the matter back to the Settlement Officer. Paras 17 and 18 of the said order are relied upon and they have been highlighted. There is no doubt that in para 17 the entitlement and rights of respondent nos.2 to 4 i.e. the respondent before his Court were to be adjudicated upon afresh by the Settlement Officer. Para 18 of the order states that the rights of respondent no.2 (Moti Lal) also had to be decided afresh but he had thereafter placed a rider in para 18

which was to the effect that rights of predecessor-in-interest of respondent no.2 (Moti Lal) shall not be disturbed in the interest of equity, fair-play and justice without obtaining prior approval of the Financial Commissioner; this is the part of the order which is impugned before this Court.

Parties are remanded back to the Settlement Officer who shall adjudicate upon the inter se rights of the petitioners and respondent no.2. The Settlement Officer shall pass an order within six months from the date of the receipt of this order.

Petition disposed of.

INDERMEET KAUR, J

SEPTEMBER 02, 2016
ndn