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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 7537/2015**
WORD INSTITUTE OF NOVEL EDUCATION

..... Petitioner

Through Mr. Samdrashi Sanjay, Adv.

versus

GOVERNMENT OF NCT AND ORS.

..... Respondents

Through Mr. Sanjoy Ghose, Adv.

CORAM:
HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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06.09.2016

The petitioner is aggrieved by the demarcation which had been effected by the Revenue Assistant/SDM on 10.01.2010 qua land in khasra No. 921 in village Chattarpur. His submission is that although he was admittedly present in the demarcation proceedings on 10.01.2010 yet a subsequent demarcation was carried out by the Department on 31.01.2014 which was against law and where the petitioner was not represented.

A counter affidavit has been filed by the respondent. The stand of the respondent is that on 31.01.2014, there was no fresh demarcation as has been urged by the petitioner; it was only a re-identification of the land. Additional submission is that the petitioner was not the recorded bhumidar and if the petitioner is aggrieved by the aforementioned position, he is at liberty to approach the Revenue Authorities; this is not the correct forum.

Noting the above submission as also the submission of the respondent that the order passed by the SDM is appealable before the Deputy Commissioner, this Court is of the view that the writ petition can be disposed of with liberty granted to the petitioner to approach the Revenue Authorities i.e. the Court of Deputy Commissioner who shall hear the submission of the petitioner qua the demarcation effected on 10.01.2010 as also his submission that the re-identification of the land on 31.01.2014 is also faulty. The Deputy Commissioner shall on the appropriate application being presented by the petitioner dispose of the application of the petitioner within a time bound frame and preferably within one year from the date of the receipt of this order.

No further orders are called for on this petition. It is disposed of.

INDERMEET KAUR, J

SEPTEMBER 06, 2016

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