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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 7455/2015

BASANT MISRA

..... Petitioner

Through :Mr. S.K. Bhaduri and Ms. K.B. Hina,
Advvs.

versus

UNION OF INDIA AND ANR

..... Respondents

Through :Mr. Dev P. Bhardwaj, CGSC and
Mr. S.P. Bhardwaj, Adv. for UOI

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **17.05.2016**

Learned counsel for the petitioner submits that petitioner is the owner of property no. 3, Jain Mandir Road, Connaught Place, New Delhi. The file of this property was missing from the office of Land and Development, Ministry of Urban Development, Nirman Bhawan, New Delhi. Accordingly, WP(C) No. 3936/2012 was filed by the petitioner for production of complete original file, perpetual lease deed and for reconstruction of the new file with all relevant documents, in a time bound manner. During pendency of the said writ petition, the file was reconstructed. A copy thereof was handed over to the counsel for petitioner.

Since file was reconstructed, the said writ petition was disposed of vide order dated 18th March, 2015. Learned counsel for the petitioner further submits that on perusal of the said file, it was noticed that in the ground rent record, maintained by the Account Section, property was wrongly shown in the name of one Shri Madan Mohan Gupta. Accordingly, petitioner has filed this writ petition, inter alia, praying for correction of the record of L&DO. Counter affidavit has been filed by the respondents, wherein it has been admitted that property was wrongly recorded in the name of Shri Madan Mohan Gupta. In the counter affidavit, filed on 7th January, 2016, respondents have admitted this error. It is further submitted that vide letter dated 19th November, 2015 petitioner was intimated about this error and the said mutation letter dated 22nd December, 1980 was also forwarded to the petitioner. On 2nd March, 2016 learned counsel for the petitioner submitted that in the counter affidavit and in the communication to the petitioner, respondent no. 1 has simply said that an inadvertent error was realized. However, nowhere is it mentioned that the said error had been corrected in the records. Accordingly, learned counsel for the respondent no. 1 sought time to take instructions.

Today, respondent no. 1 has filed an affidavit in Court, which is taken

on record. In paras 6 and 7, it has been deposed as under:-

“6. That in pursuance of the proceedings of last date of hearing, the matter has been re-examined in consultation with Accounts Section of this office and the entry of mutation letter No.L&DO/SP Cell/5537 dated 22.12.1980 which was issued to property No.5, Jain Mandir Road, New Delhi and inadvertently been recorded in the Ground Rent Leger of 3, Jain Mandir Road, New Delhi have been deleted by Account Section on 09.05.2016.

7. It is further submitted that the above said entry of letter dated 22.12.980, have been correctly mentioned in the ledger of 5, Jain Mander Road, New Delhi. True Copies of the Ground Rent Ledger of Accounts Section of answering respondents are annexed herewith as Annexure-I and Annexure-II.”

Copies of the relevant pages of Ground Rent Ledger have also been annexed with the affidavit. It is, thus, evident that record has been corrected. Since record has been corrected, no further orders are required to be passed in this writ petition and the same is disposed of accordingly.

A.K. PATHAK, J.

MAY 17, 2016

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