

\$~17

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

+ W.P.(C) 8808/2015

KULDEEP SINGH & ANR

..... Petitioners

Through Mr. Raghuvinder Varma, Advocate

versus

DEPUTY COMMISSIONER (WEST) & ANR Respondents

Through Mr. Gautam Narayan , ASC, with

Mr. Anil Choudhry, GNCTD &

Ms. Shruti Parasa, Advocate

Mr. Pardeep Kumar, Kanungo

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **18.05.2016**

During the hearing, learned counsel for the petitioner submits that only Prayer (a) is being pressed in this writ petition. Prayer (a) reads as under:

“Issue a writ of mandamus or any other writ, direction or order directing the respondents to allot 1 bigha 4 biswas land to the petitioners in order to offset the deficiency that have occurred in their khasra no.93/4/1 situated in village Mundka, Delhi being allotted to Smt. Asha Sabharwal in terms of the order dated 22.06.2010 passed by the Financial Commissioner, Delhi.”

The dispute before the Financial Commissioner was in respect of land admeasuring 1 bigha 4 biswas forming part of khasra no. 93/4/1 in Village Mundka, Delhi. Vide order dated 22.06.2010 of the Financial Commissioner, the Consolidation Officer was directed to allot suitable land to the petitioner in order to offset the deficiency that had occurred in the khasra no.93/4/1, situated in village Mundka, Delhi. The Consolidation Officer was directed to make the allotment to the petitioner, as early as possible with the directions that the compliance report be made in not more than three months.

The grievance of the petitioner is that aforesaid order has not yet been complied with and the land has not been allotted till date.

Learned counsel for the respondents submits that no land is available in village Mundka. It is further submitted that the exercise of identifying a vacant piece of land measuring 1 bigha 4 biswas in villages other than village Mundka in the revenue estate of Sub Division Punjabi Bagh was done and the Block Development Officer (West) vide letter dated 05.04.2016 informed that land is available in Village Bakkarwala, Delhi. Accordingly, file has been processed further and permission of the Secretary, Department of Revenue has been sought as to whether the land can be allotted in Village Bakkarwala as the case of allotment of land relates to the period during the consolidation of village Mundka.

In the above facts, it is directed that the order of the Financial Commissioner dated 22.06.2010 be complied with and land admeasuring 1 bigha 4 biswas be allotted to the petitioner, if not

available in village Mundka then in village Bakkarwala, Delhi, which land the petitioner is ready to accept. This writ petition is disposed of with directions to the Secretary, Revenue Department to decide this request of the respondent no.1 within four weeks. Thereafter, order of the Financial Commissioner be complied within a period of two months.

Copy of order be given dasti to learned counsels for the parties under the signature of the Court Master.

A.K. PATHAK, J

MAY 18, 2016/sm