

\$~30

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

+ W.P.(C) 4578/2017 & C.M.19976/2017

HARIOM SINGH AND ORSPetitioners

Through: Ms. Smita Maan, Advocate

versus

DELHI DEVELOPMENT AUTHORITY Respondent

Through: Mr. Arjun Pant, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

%

24.05.2017

Petitioners are said to be the owners of land admeasuring 2 Bighas 8 Biswas situated in Revenue Estate of Village Chhawla, New Delhi, who seek a direction to respondent not to take forcible possession of their aforesaid land by maintaining that the land in question has not been acquired by respondent-DDA and still fencing is being done by respondent on the acquired land, while encroaching upon some portion of petitioners' land in question.

Upon notice, learned counsel for respondent submits that if the land in question is not acquired, then there is no question of fencing of any portion of the land in question.

In the facts and circumstances of this case, it is deemed appropriate to permit petitioners to make a brief representation to respondent's Director, Land & Building with documentary proof within a week and if it is so done, then respondent's Director, Land and Building is called

upon to decide the said representation within three weeks by passing a speaking order and if need be, petitioners' be also afforded an opportunity of hearing. The fate of the representation be made known to petitioners within two weeks thereafter. Till then, no fencing be done at any portion of petitioners' land as described above. It is made clear that if petitioners are not satisfied with the decision on their representation, then they shall have the right to avail of their remedies as available in law.

With aforesaid direction, this petition and the application are disposed of with liberty as aforesaid.

Copy of this order be given *dasti* to both the sides.

(SUNIL GAUR)
JUDGE

MAY 24, 2017

s