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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8430/2015 & C.M. No.18037/2015

RAM KUMAR

..... Petitioner

Through: Mr. Swastik Singh, Adv.

versus

GOVERNMENT OF NCT OF DELHI & ORS Respondents

Through: Mr Sanjoy Ghose, Mr Rishabh Jetely
and Mr Nishank Tyagi, Advs for
GNTD

Mr Yeeshu Jain and Ms Jyoti Tyagi,
Adv for R-4, 5

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

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04.07.2017

The petitioner is aggrieved by the notification dated 02.04.1996 issued by the respondents. By virtue of this notification the land of the predecessor of the petitioner in Khasra No. 575 (measuring 4 bigah and 16 biswas) in village Ghitorni was sought to be taken possession of. Contention of the petitioner is that he is in possession of the said land. This position is disputed by the respondents.

The admitted position is that proceedings under Section 74(4) of the Delhi Land Reforms Act, 1954 (DLRA) had been initiated by the predecessor in interest of the petitioner. In the course of these proceedings the application came to be dismissed in default on 05.10.2001. An application seeking restoration of those proceedings had been filed which was allowed in favour of the petitioner vide order dated 05.07.2014. The proceedings are yet pending before

Revenue Assistant and the next date fixed before him is 16.08.2017. The learned counsel for the petitioner submits that he is pursuing these proceedings independent of this petition. Permission is granted to the petitioner to continue with those proceedings.

The learned counsel for the petitioner, at this stage, submits that it may not be appropriate for him to press this petition any further in view of the fact that he already has the liberty to continue with this independent proceedings which in view of this court would be able to answer the grievances of the petitioner as the challenge to the notification dated 02.04.1996 is premised on the submission of the petitioner that this was not Gaon Sabha land and it was not uncultivated. These submissions shall be considered and answered by the Competent Authority.

The petitioner is accordingly granted permission to withdraw this petition.

The petition is dismissed as withdrawn.

INDERMEET KAUR, J

JULY 04, 2017

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