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

+ **W.P.(C) 5053/2018**

ROSHAN DEVI

..... Petitioner

Through Mr. D.K. Devesh and Mr. U.P. Singh,
Advs.

versus

GOVT OF NCT DELHI & ORS

..... Respondents

Through Mr. Anupam Srivastava, ASC with
Mr. Dhairya Gupta, Adv. for R-1 to 4

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **14.05.2018**

CM APP No. 19450/2018(exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 5053/2018 & CM No.19449/2018

2. Issue notice.

3. Mr. Srivastava accepts notice on behalf of the respondents. In view of the orders that I propose to pass, Mr. Srivastava says that he does not wish to file a reply. The substantive prayer made in the writ petition is as follows.

“(a) Issue an appropriate writ, direction or order restraining the respondent no.1 and 2 from demolishing the house of the petitioner situated in plot no.127-128, measuring 150 sq. yds. Bearing khasra no.120 Min, Village Asola, New Delhi; and/or”

4. The petitioner claims that the property in the prayer clause (a) of the writ petition is located in Khasra No.120, in village Asola, New Delhi. The petitioner, however, apprehends that the said property

would be demolished, as according to him, incorrect demarcation has taken place.

5. To be noted, vide notice dated 3.5.2018, issued by the Government of NCT of Delhi, the office of the District Magistrate, (South), action by the official respondents is to be taken only qua the properties which are located in Khasra Nos.126 and 127, in village Asola, New Delhi, the ownership of which is claimed by the Gaon Sabha. The said land, according to the notice, stands transferred to the Department of Forest via notification dated 24.5.1994.

6. Counsel for the petitioner says that his writ petition be treated as a representation by the concerned District Magistrate.

7. In these circumstances, the writ petition along with pending application is disposed of with the direction to the concerned District Magistrate to treat the present writ petition as a representation and dispose of the same within the shortest possible time.

7.1 Pending the disposal of the writ petition, no coercive measures will be taken qua the petitioner's property.

8. *Dasti* under signatures of the Court Master.

RAJIV SHAKDHER, J

MAY 14, 2018
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