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

+ W.P.(C) 6735/2018 & CM No. 25617/2018

FAQIR CHAND AND ORS Petitioners

Through: Mr Kuldeep Sehrawat, Advocate.

versus

DEPUTY COMMISSIONER (SOUTH) AND
ORS

..... Respondents

Through: Ms Shobhana Takiar with Mr Udayan
Khandelwal, Advocates for R-1 & R-
2 and Mr Yogesh Kumar (Tehsildar)

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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03.07.2018

1. The petitioners have filed the present petition, *inter alia*, praying as under:-

- “(a) Issue a writ(s), order(s) or direction(s) in the nature of mandamus directing the respondent no.1 & 2 to decide and dispose of the petitioners applications/representations dated 17.07.2017 respectively for carrying out mutation and correction in the revenue record of Khata/Khataoni No.233/125, village Sultanpur, Delhi.
- (b) Direct the respondent no.1 and 2 to make necessary correction in the revenue records which presently wrongly stands mutated in the sole name of Rajpal S/o Late Sh. Dhuni Ram caste Gujar Khari of Village Sultanpur, Mehrauli, New Delhi.
- (c) Grant stay against the respondent no.3/Sh. Rajpal Khari for not creating any third party interest in whatsoever manner or alienate, mortgage or part with possession of

any of the joint family properties till the final disposal of the aforesaid applications by the concerned Revenue Authorities.”

2. Petitioner no.1, is the son of Late Shri Dhuni Ram and petitioner nos. 2 to 5 are legal heirs of Late Shri Trilok Chand. Late Shri Trilok Chand, petitioner no.1 and Shri Rajpal are sons of Late Shri Dhuni Ram.
3. The petitioners claim that they are also entitled to the share in the property of the Late Shri Dhuni Ram being agricultural land located in Khata/Khatauni no.233/125 falling in the revenue estate of Village Sultanpur, Delhi. It is stated that after the demise of Late Shri Dhuni Ram, the said property was mutated in the name of Shri Rajpal instead of in the names of all the three sons of Late Shri Dhuni Ram. It is stated that the petitioners have applied for rectification of the revenue record to also include their names as part owners of the agricultural land in question.
4. The petitioners’ grievance is that the said applications have not been considered by the concerned authorities.
5. The learned counsel appearing for the respondents states that the applications were incorrectly addressed to the Tehsildar and the same ought to have been addressed to the Deputy Commissioner (South). Notwithstanding, the above, he submits that that the Deputy Commissioner (South) shall consider the applications and pass an appropriate order within a period of eight weeks from today.
6. In view of the above, no further orders are required to be passed at this stage except to direct the Deputy Commissioner (South) to comply with the aforesaid statement made by the learned counsel for the respondents.

Needless to state that if the petitioners are aggrieved by any decision in regard to their applications, it will be open for them to take such remedies as available in law.

7. The petition is disposed of in the aforesaid terms. The pending application is also disposed of.

8. Order *dasti*.

VIBHU BAKHRU, J

JULY 03, 2018
MK