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

+ W.P.(C) 8575/2018

SH. SHYAM GUPTA Petitioner

Through: Mr. Kuldeep Sehrawat and Mr.
Naveen Sehrawat, Advocates

versus

GNCT (DELHI) AND ORS.Respondents

Through: Ms. Shobhna Takiar, Advocate for
respondents No.1 & 2

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

17.08.2018

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Petitioner relies upon *Roznamcha* Report of the concerned Tehsildar to show that petitioner is in 'cultivatory possession' of the subject land as *Gair Marusi (unauthorized occupant)*. Petitioner claims to have made an application (*Annexure P-8*) to Tehsildar, Mehrauli on 27th February, 2018 for recording of the Khasra Girdawaris in the name of petitioner as per crops shown for the Fasli Year Kharif-2018.

According to petitioner's counsel, there is no response to the said application, which led petitioner to serve the Legal Notice/Representation to the concerned Deputy Commissioner. It is submitted by petitioner's counsel that even to the said Legal Notice/Representation (*P-9 colly.*), there is no response.

Instead of serving Legal Notice to the concerned Deputy Commissioner, petitioner ought to have made a proper application under the relevant provisions of *the Delhi Land Revenue Act, 1954*. In any case,

petitioner's application (*Annexure P-8*) made to the concerned Tehsildar needs to be responded to, if not already done. Accordingly, this petition is disposed of with direction to concerned Tehsildar to consider petitioner's application (*Annexure P-8*) in accordance with applicable provisions of *the Delhi Land Revenue Act, 1954* and the Rules framed thereunder and if for any reason whatsoever, the said application is not to be accepted, then the reasons for not accepting it be conveyed to petitioner within a period of 12 weeks, so that petitioner may avail of the remedies as available in law.

With aforesaid directions, this petition is disposed of.

(SUNIL GAUR)
JUDGE

AUGUST 17, 2018

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