

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

Date of Order: August 29, 2018

+ **W.P.(C) 9085/2018 & C.M. 34973/2018**

PHOOL KANWAR

..... Petitioner

Through: Mr. Mohit Kumar Sharma,
Advocate

Versus

GOVERNMENT OF NCT OF DELHI AND ORS. .. Respondents

Through: Mr. Devesh Singh, Addl. Standing
Counsel (Civil) with Ms. Sukriti
Ghai, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Ejectment order was passed against petitioner in proceedings under the *Delhi Land Reforms Act, 1954* on 25th July, 1980. Petitioner's counsel submits that the said order has not been implemented against petitioner and petitioner is still in possession of the subject land. It is also submitted that no construction has been raised on the subject land, which is agricultural land.

2. It is the case of petitioner that on 29th August, 2017, petitioner came to know about vesting of subject land in *gaon sabha* and soon thereafter, an application was filed for setting aside of the *ex parte* orders passed way back in the year 1980 and alongwith the said application, an application for condonation of delay has been filed in September, 2017.

Counsel for petitioner submits that application for setting aside *ex parte* orders is still pending and no date of hearing has been given in the said application.

3. If it is so, then second respondent shall ensure that petitioner's application purportedly filed on 27th September, 2017, is decided within a period of twelve weeks and its fate be made known to petitioner within two weeks thereafter, so that petitioner may avail of the remedies as available in law, if need be. Needless to say, delay aspect shall be considered by the authority concerned while deciding the said application.

4. With aforesaid observations, this petition and application are disposed of.

A copy of this order be given *dasti* to counsel representing both the sides.

AUGUST 29, 2018

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**(SUNIL GAUR)
JUDGE**