

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

Date of Order: September 25, 2018

+ **W.P.(C) 10107/2018 & CMs 9446-47/2018**

SMT. RAJ KUMARI GUPTA AND ANR.Petitioners
Through: Mr. Kirti Uppal, Senior Advocate
with Mr. R.S.Rana and Mr. Pranvir
Sethi, Advocates

versus

DELHI DEVELOPMENT AUTHORITY AND ORS.
.....Respondents
Through: Mr. B.S. Shukla, CGSC for
respondent- UOI
Mr. Rizwan, Advocate for
respondents No. 4 and 5

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Petitioners are aggrieved by allotment of some portion of the subject land to respondent No. 3 as they claim that they are owners and in possession of the subject land. The grievance now raised in this petition was already raised with respondents No. 1 to 4 by way of a Representation of 5th July, 2018 (*Annexure P-24 colly.*). According to learned senior counsel for petitioners, there is no response to the aforesaid Representation (*Annexure P-24 colly.*).

2. Learned senior counsel for petitioners submits that contesting parties are respondents No. 1 and 3 and rest of the respondents are *pro forma* parties. It is further submitted that advance notice of this petition

has been already served upon first and third respondents, but there is no appearance on their behalf despite service of advance notice.

3. Learned senior counsel for petitioners submits that the aforesaid Representation (*Annexure P-24 colly.*) is required to be considered by respondent-DDA. It is submitted that respondent No. 3 ought to be restrained from proceeding further without getting a demarcation report in respect of the subject land.

4. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition and the applications with direction to respondent-DDA to effectively consider petitioners' Representation (*Annexure P-24 colly.*) within a period of four weeks from today and to give petitioners a speaking response to the said Representation within two weeks thereafter, so that petitioners can avail of the remedy as available to them in law, if need be. It shall be open to respondent-DDA to consider demarcation of the subject land before proceeding further. Till it is so done, *status quo* as of today in respect of subject land be maintained by the parties.

5. Respondent-DDA be apprised of this order forthwith, to ensure its compliance.

6. With aforesaid directions, this petition and the applications are accordingly disposed of.

Dasti.

(SUNIL GAUR)
JUDGE

SEPTEMBER 25, 2018

V