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

+ W.P.(C) 11155/2018 & CM APPL.43381/2018

RISHIPAL SHARMA & ORS

..... Petitioners

Through: Mr. Upendra Pratap Singh, Advocate.

versus

GOVT. OF NCT DELHI & ORS

..... Respondents

Through: Ms. Hetu Arora Sethi, ASC for
GNCTD.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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31.10.2018

Learned counsel for the respondents has submitted that the status report filed by the respondents on 16.10.2018 be treated as reply.

Counsel for the appellant does not wish to file a rejoinder.

Counsel for the respondents has submitted that the matter is listed before learned ADM (South) and proceedings are going on and the matter would be taking up on 13.11.2018.

Counsel for the petitioners has submitted that the petitioners are given bhoomidari rights and public notice in respect of removal of encroachment from the forest and Gaon Sabha land of village Bhatti was issued on 19.05.2018. He has further submitted that the petitioner's 5 Bighas land falling in Khasra No. 659, Khata No.413 in village Bhatti, Tehsil Hauz Khas, New Delhi has also been included in the said public notice as Forest Land despite being completely aware that the petitioners have been declared

as Bhumidar by the Revenue Assistant vide its order dated 23.05.2006 and further appeal against the said order is pending adjudication.

Counsel for the petitioners has further submitted that appeal is filed by the Gaon Sabha, wherein an application for protection of possession is moved.

Keeping in view of the facts and circumstances of the case, the respondent No.3 – Additional District Magistrate is directed to dispose of the petition as well as the application under Order 39 Rule 1 and 2 CPC, as per law.

In the meanwhile, till the next date i.e.13.11.2018 the parties are directed to maintain status quo qua the possession of Khasra No.659 area is 5 bigahs of village Bhatti, Tehsil- Hauz Khas, New Delhi.

The petition is disposed of accordingly.

A copy of this order be given *dasti* to the parties.

I.S.MEHTA, J

OCTOBER 31, 2018

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