$~44

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

\+ W.P.(C) 849/2019 & CM APPL. 3834/2019

SHRI HARI KISHAN AND ANR ..... Petitioners

Through: Mr. N.S. Dalal, Advocate.

versus

GOVT. OF N.C.T. OF DELHI AND ORS. ..... Respondents

Through: Mr. Devesh Singh, ASC (Civil) GNCTD with Ms. Urvashi Tripathi, Advocate for R-1, R-2 and R-3.

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

O R D E R

% 25.01.2019

Learned counsel for the petitioner submits that the notice issued pertains to the land of abadi deh and is situated at the Lal Dora and the learned SDM has got no jurisdiction under the Delhi Land Reforms Act. He further submits that no proceeding is pending against the present petitioner.

Mr. Devesh Singh, learned ASC appearing on behalf of respondents submits that the notice dated 31.12.2018 is a final notice for appearance pertaining to encroachment on Harijan Makbooja, Gaon Sabha land earmarked for Harijans, in Khasra No. 87/76-77 at Village – Barwala. He further submits that the present petition is filed at a pre-mature stage.

In these circumstances, the petitioner is directed to appear before the concerned SDM on 11.02.2019 and the learned SDM may take a call and pass a speaking order, if any, and the same be handover to the present

petitioner.

The present petition is disposed of accordingly. The petitioner is given liberty to revive the same, if it is required within a period of one month without taking coercive step from the opposite side.

I.S.MEHTA, J

JANUARY 25, 2019
nd