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

+ W.P.(C) 1423/2020

RACHNA GUPTA & ANR Petitioner

Through Ms.Smita Maan, Mr.S.Rathee,
Mr.Paritosh Tomar and Mr.Ayush Bhardwaj,
Advs.

versus

GOVT OF NCT OF DELHI & ORS Respondent

Through Mr.Naushad Ahmed Khan, ASC,
Civil, GNCTD

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **18.02.2020**

1. This Writ Petition is filed seeking the following reliefs:-

“(a)issue an appropriate writ(s), order(s) or direction(s) in the nature of mandamus thereby directing the respondents no.1 to 3 to exclude the private self owned property of the petitioner comprised in khasra no.775 min (4-17), total ad measuring 4 bighas and 17 biswas, situated in the Revenue Estate Of Village Satbari, New Delhi, from the demarcation of 'Forest Land Of Village Satbari' which has been carried out behind the back of the petitioners in complete violation of the mandatory rules, regulations and procedures.”

Other connected reliefs are also sought.

2. In a somewhat similar matter titled W.P.(C)2528/2019 titled **Anirudh Trading Pvt. Ltd. vs. Govt. of NCT of Delhi** this court passed the following order:-

“This writ petition relates to settlement of boundary disputes and representations in that context having been made by the petitioner with the concerned Deputy Commissioner. Mr. Narayan, learned counsel for the respondents submits that the said representations shall be decided in terms of Section 28 of the Delhi Land Revenue Act, 1954, in accordance with law, having afforded an opportunity of hearing to the petitioner. Mr. Mehta, learned counsel for the petitioner, on his part submits that the petitioner is apprehending demolition of the property, which is the subject matter of the writ petition. To this, Mr. Narayan submits that he has instructions to state that till the disposal of the representations and further orders passed, no demolition action as regards the subject property, shall follow. It also comes to be stated by Mr. Narayan that in the event of the representations being decided against the petitioner, before demolition, the respondents shall follow the procedure of giving a prior notice.

In view of the foregoing, the writ petition is disposed of with a direction to the respondents that in the event of the demolition to be affected in respect of the subject property, a seven days prior notice be given to the petitioner.

The writ petition stands disposed of accordingly.

Dasti.”

3. As the issues involved in this Writ Petition are identical to the issues that were involved in W.P.(C)2528/2019, Writ Petition is also disposed of in terms of the order dated 13.3.2019, as noted above. The concerned Deputy Commissioner may treat this Writ Petition as a representation of the petitioner and decide it in terms of section 28 of the Delhi Land Revenue Act, 1954, in accordance with law after having given an opportunity to the petitioner for a hearing. Till disposal of the representation and further orders are passed, no demolition action will be taken on the subject property. In the event the representation is decided before any demolition is carried out seven days' prior notice shall be given to the petitioner.

4. Petition stands disposed of. All pending applications, if any, also stand disposed of accordingly.

JAYANT NATH, J

FEBRUARY 18, 2020

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