

\$~A-18

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

+ W.P.(C) 2246/2019

LAKHI RAJ TYAGI AND ORS.

..... Petitioners

Through Mr.Jagdev Singh, Mr.Parveen Bhati
and Mr.Adarsh Aggarwal, Advs.

versus

GOVT. OF NCT DELHI AND ANR.

..... Respondents

Through Mr.Manish Chauhan, Adv. for
GNCTD.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

%

06.02.2020

1. This writ petition is filed by the petitioners seeking a direction to the respondents to mutate the land in question measuring 26 Bighas 17 Biswas, situated in the Revenue Estate of Village Jhatikra, Najafgarh, New Delhi in the name of the petitioners being the legal heirs of Late Sh.Banwari Lai.
2. The respondents have filed a status report. In the said status report, it is admitted that an application for mutation of the land in question has been received. However, it is pleaded that no original death certificate of Late Sh.Banwari Lal was filed by the petitioners. It is stated that notice has now been sent to the petitioners on 25.11.2019 by the Tehsildar, Kapashera for submission of the original death certificate of Late Sh.Banwari Lal and other requisite documents as sought for in the said notice.
3. In the status report, it is also stated that as per section 50 of the Delhi Land Reforms Act, 1954 (*hereinafter referred to as the 'DLR Act'*) no such right of succession is there for the daughter.

4. Learned counsel for the petitioners however refutes the said contention that the daughters do not have the right of succession. He submits that the DLR Act confers the rights on the daughter.

5. Let the petitioners appear before the Tehsildar, Kapashera on 27.02.2020 at 2:00 P.M. with requisite document/original death certificate. The Tehsildar, Kapashera will also afford an opportunity of hearing to the petitioners/their authorised representatives on the said date and any other subsequent dates so fixed by the Tehsildar, Kapashera.

6. The application of the petitioners for mutation of the land in question thereafter be disposed of by a speaking order as per law within four months from today.

7. Petition is disposed of.

JAYANT NATH, J.

FEBRUARY 06, 2020/v