

\$~1

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 390/2020**

RAJ KUMAR WADHWAPetitioner
Through: Mr Sumit Bansal and Mr Pankaj
Gupta, Advocate.

versus

THE CONSOLIDATION OFFICER & ANR. Respondents
Through: Mr Naushad Ahmed Khan, ASC
(Civil) for GNCTD/R-1.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
% **24.07.2020**

The hearing was conducted through video conferencing.

CM APPLs. 16304-16305/2020 (Exemption)

1. Allowed subject to all just exceptions. The applications stand disposed off.

CM(M) 390/2020 & CM APPL. 16303/2020 (Stay)

2. Issue notice.
3. Mr. Naushad Ahmed Khan, the learned ASC accepts notice on behalf of GNCTD/R-1.
4. At the joint request of the learned counsel for the parties, the petition is taken up for disposal.
5. The petitioner is apprehensive of demolition of his property i.e. a factory situated at Industrial Plot No. 143/425 measuring 6 biswas situated in the extended Lal Dora of Village Kanjhawala, Delhi, in terms of notice dated 03.07.2020 issued to him by the respondent

no.1/Consolidation Officer, Village Kanjhawala, New Delhi. The petitioner's Revision Petition No.16/2015 under Section 42 of The East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, is pending before the Financial Commissioner, Delhi. His application for interim relief has not yet been decided, despite a lapse of more than half a decade. He contends that the impugned notice has been issued in the face of the pending application.

6. In view of the above, it will be appropriate that the petitioner's application for interim relief is considered first, so as to not render him remediless. Let the petitioner's application for interim relief be decided within a period of four weeks from today. Till then, the operation of the impugned notice dated 03.07.2020 shall remain stayed. The Financial Commissioner may conduct the hearing through video conferencing. The date of hearing shall be communicated to the petitioner through his counsel also, as noted herein above.
7. The petition, along with the pending application, is disposed off in the above terms.
8. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

JULY 24, 2020/rd