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

+ **W.P.(C) 5973/2017**

BHARAT SINGH

..... Petitioner

Through: Mr. S. K. Rai, Adv.

versus

LT. GOVERNOR OF DELHI & ORS

..... Respondents

Through: Mr. Zahid Hanief, Adv. for
Mr. Naushad Ahmed Khan, ASC
(Civil), GNCTD.

Mr. Yeeshu Jain with Ms. Jyoti
Tyagi, Advs. for R- 2 & 3.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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18.02.2020

1. The Petitioner has preferred the present writ petition to seek a direction to Respondent to pay compensation in respect of acquired land. The Petitioner claims that the Petitioner is owner of Khasra No. 101/102/103/111/112/115 and 116 total admeasuring 760 Bigha 14 Biswa situated in the Revenue estate of Village Deoli, Delhi. In this regard, the Petitioner has placed on record the "Khatoni" issued by the Revenue Authority.

2. The Petitioners states that the aforesaid land was acquired by the Respondents. In respect of the acquisition, the Petitioner demanded compensation and got a response on 07.07.2015 stating that the said land, which had been acquired vide Award No.19/87-88, was denotified from Acquisition vide a notification issued under Section 48 (1) bearing

Notification No. 9[18]/85-L7B dated 30.07.1987. This communication further stated, premised on the information received from the Land Acquisition Branch, (South), that the aforesaid land is in the name of Gaon Sabha, as recorded during the consolidation proceedings and that the said land had been notified for creation of ridge/forest vide Notification No. 04.04.1996.

3. Learned counsel for the Respondent points out that even the “Khatoni” placed on record shows that the name of the Khatedar is recorded as Gaon Sabha, Deoli (Pahad).

4. In the aforesaid circumstances, it appears to us that the Petitioner has to first establish its right with regard to the land in question vis-a-vis the Gaon Sabha. If the Petitioner is able to establish its rights, he may have a claim against the Respondents.

4. This petition is accordingly, dismissed with liberty to the Petitioner to take such necessary steps as available in law in order to stake his claim in respect of the aforesaid land in question.

VIPIN SANGHI, J

SANJEEV NARULA, J

FEBRUARY 18, 2020

Pallavi