

\$~14

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

+ W.P.(C) 3611/2020 & CM APPL. 12858/2020 (stay)

SUNIL KHANNA & ANR.

..... Petitioners

Through: Ms. Mansi Bajaj and Mr. Nitin  
Prakash, Advocates.

versus

GOVT OF NCT OF DELHI & ORS.

... Respondents

Through: Mr. Naushad Ahmad Khan, ASC for  
GNCTD.

**CORAM:**

**HON'BLE MR. JUSTICE NAJMI WAZIRI**

**ORDER**

% **30.07.2020**

The hearing was conducted through video conferencing.

1. The petitioners seek the following reliefs:

“ ...

- I. *Issue an appropriate writ, order or direction declaring the erection of poles undertaken by the Respondents on 31.12.2019 at the property of the Petitioners as illegal and arbitrary.*
- II. *Issue an appropriate writ, order or direction directing the Respondents to restore status quo ante as it existed prior to the erection of poles carried out at the Petitioners' property admeasuring 10 bighas and 15 Biswas, bearing Khasra No. 1063 min (2-17), 1058 min (1-12), 1062 (1-6), 1061 (1-8), 1060 (1-6), and 1059 (2-6) and 1 bigha and 10 biswas, Khasra No. 1063 min in Village Asola on 31.12.2019.*
- III. *Issue an appropriate writ, order or direction in the nature of Mandamus directing the Respondents to carry out the demarcation of the Petitioner's property by TSM method after giving due notice to the petitioner.*
- IV. *Issue such other appropriate writ, order or direction that may be considered to be just and equitable in the facts and circumstances of the present case and in the interest*

*of justice. ”*

2. It is the petitioners’ contention that on 31.12.201, the Department of Revenue, GNCTD, had illegally demolished a portion of the petitioners’ property/boundary wall and erected its own pillars, purportedly to demarcate forest land.
3. Mr. Naushad Khan, the learned ASC for the GNCTD, submits that the entire exercise carried out pursuant to a demarcation exercise carried out by the State to secure and recover the forest lands from encroachment. If the petitioners have any grievance against the same, they could pursue their statutory remedies before the appropriate forum. The petitioners have, thus far, not even approached the authorities concerned.
4. It will be open to the petitioners to seek a soft copy of the demarcation report from the Sub Divisional Magistrate (Saket), GNCTD. The same shall be supplied to the petitioners, if they have a right in law to view the same, within a week of the application being made in this regard. Thereafter the petitioner may pursue redressal of his grievance, as may be, before the appropriate forum.
5. The writ petition, alongwith pending application, stands disposed-off in the above terms.
6. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

**NAJMI WAZIRI, J**

**JULY 30, 2020/AB**