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

% *Decided on: 14th March, 2023*

+ **W.P.(C) 3096/2023 & CM APPL. 12070/2023**

OM PRAKASH SAINI & ORS. Petitioners

Through: Mr. Vivek Kr. Gaurav and
Mr. Shubham Prajapati,
Advocates (Ph. 9958429420, e-
mail: attorney.tli@gmail.com)

versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr. Tushar Sannu, Advocate
for GNCTD with Mr. Priyankar
Tiwary, Advocate (Ph.
9911991166)

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA
[Physical Hearing/ Hybrid Hearing]

MINI PUSHKARNA, J. (ORAL):

**CM APPL. 12070/2023 (filed by petitioners under Section 151
CPC seeking exemption from filing certified copies of the
annexures)**

1. Exemptions allowed, subject to just exceptions.
2. Application is disposed of accordingly.

W.P.(C) 3096/2023

3. The present writ petition has been filed by the petitioners seeking directions to the respondents to decide the representation dated 30.01.2023 in view of the order passed by this Court vide order dated 19.02.2020 in W.P.(C) 1836/2020.

4. It is the case on behalf of the petitioners that the grandfather of the petitioners purchased land measuring 10 Bighas 12 Biswas in Khasra No- 1364(6-4) & 1417(4-8) vide registered sale deed situated at village Burari, Delhi-110084.

5. It is submitted that the revenue officials wrongly entered the name of some other person as Bhoomidaar in the revenue records with respect to one of the properties i.e., bearing Khasra Number 1417(4-8) situated in village Burari in the year 1963-64. Thus, the grandfather of the present petitioners preferred an application before the Revenue Assistant against the entry of name of some other person as Bhoomidaar. The said application was, however, dismissed on 18.03.1971.

6. Subsequently, the grandfather of the Petitioners preferred an appeal against the order dated 18.03.1971 of the Revenue Assistant. The said appeal was allowed by the Ld. Additional Collector vide order dated 18.09.1971, who directed revenue officials to record the name of the grandfather of the petitioners i.e. Sh. Jag Ram as the Bhoomidaar with respect to the land bearing Khasra Number 1417(4-8), village- Burari, Delhi.

7. It is submitted that during the land consolidation proceedings held in the year 1980-81, new Khasra number was assigned, but the description of the abovesaid property was arbitrarily reduced by one Bigha. Further, grandfather of the petitioners, namely, Sh. Jag Ram was shown as the Bhoomidaar of land measuring Khasra Number 133/26/1 (6-4) and 133/26/2 (3-8).

8. It is submitted that respondent No. 2 issued another Khatauni bearing Khasra No.133/26/1 (6-4) and 133/26/2 (3-8). It is submitted that in Khasra No.133/26/1(6-4), the respondents have arbitrarily entered the names of the cousins of the petitioners without any legal documents. Further, it is submitted that respondent No 2 has arbitrarily entered the name of one Sh. Goverdhan as the Khatedar without having any connection with the property i.e. Khasra No. 133/26/2 (3-8).

9. It is submitted that present petitioners approached this Court in WP(C) No. 1836/2020. The said writ petition was dismissed vide order dated 19.02.2020. However, liberty was granted to the present petitioners to approach the concerned revenue department with an appropriate application for change of name.

10. Thus, it is submitted that in view of the liberty as granted by this Court vide order 19.02.2020 in WP(C) No. 1836/2020, the present petitioners made written Representation dated 30.01.2023 to the respondent No. 2 requesting therein to correct the name in the Revenue Records but the same has been not decided yet.

11. Issue notice.

12. Notice is accepted by learned counsel appearing for both the respondents.

13. He submits that the respondents shall decide the representation of the petitioners expeditiously.

14. In view of the aforesaid statement and the submissions made

before this Court, it is directed that the respondents shall decide the representation dated 30.01.2023 of the petitioners expeditiously, preferably within three months from today.

15. With the aforesaid directions, the present writ petition is disposed of.

MINI PUSHKARNA, J

MARCH 14th, 2023

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