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

% *Decided on: 18th May, 2023*

+ W.P.(C) 6684/2023 & CM APPL. 26202/2023
HARI CHAND AND ORS. Petitioners

Through: Mr. N.S. Dalal with
Ms. Rachana Dalal and
Mr. Alok Kumar, Advocates.
(M): 9990650484
Email: chamberofnsdalal@gmail.com

versus

GOVT. OF N.C.T. OF DELHI THROUGH DIVISIONAL
COMMISSIONER AND ANR. Respondents

Through: Mr. Prashant Manchanda, ASC
with Ms. Khushboo Tomar,
Ms. Nancy Shah and
Ms. Jasleen Kaur, Advocates
for respondent no. 1 and 2.

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

MINI PUSHKARNA, J. (ORAL):

W.P.(C) 6684/2023 & CM APPL. 26202/2023 (Application on behalf of the petitioners under Section 151 CPC for interim orders)

1. The present writ petition has been filed with prayer for issuing directions to respondent no. 2 to decide the case bearing no. No.1502/RA/ALP/2018, titled as *Hari Chand & Others Vs. Gaon Sabha Singerpur, Delhi*, pending before the learned Sub-Divisional Magistrate/Revenue Assistant (SDM/RA) within a time bound manner.



2. It is the case on behalf of the petitioners that land of Khata Khatoni No.55/54, bearing Khasra No.31 measuring 652 bighas, situated in the revenue estate of Village Singerpur, Delhi, has been shown in the name of the proprietorship of the Villagers including predecessor-in-interest of the petitioners herein. It is submitted that the land has been the personal property of the respective proprietors.

3. It came to the notice of the predecessor-in-interest of the petitioners in the year 1963 that the land had been wrongly shown in the name of Gaon Sabha. Thus, predecessor-in-interest of the petitioners filed a suit for declaration in the year 1963 that showing/vesting of the land in favour of the Gaon Sabha was illegal, without the authority of law, null and void.

4. By judgment and decree dated 08.10.1963, the suit was decreed thereby holding that vesting of the land in favour of the Gaon Sabha was illegal and without any authority of law.

5. It is submitted that despite the aforesaid, the respondents continued to show the land in favour of the Gaon Sabha, even though Gaon Sabha has never been in possession of any land of the petitioners. Thus, in the year 2018, the petitioners filed a suit for declaration of bhumidari rights, which is pending disposal before the learned Revenue Assistant (RA). It is submitted that there has been no effective proceedings, except adjournment of the case from time to time.

6. It is further submitted that the Gaon Sabha officials came to the land of the petitioners on 02.05.2023 and threatened to destroy the



crop and take possession of the land of the petitioners forcibly.

7. Issue notice.

8. Notice is accepted by learned counsel appearing for the respondents.

9. Learned counsel at the outset submits that regular hearing is taking place before the Revenue Assistant. He disputes the allegations made on behalf of the petitioners. However, he submits that efforts shall be made to expedite the hearing before the learned RA. He further submits that the learned RA has issued notice to the Gaon Sabha and reply of the Gaon Sabha is awaited.

10. Considering the submissions made before this Court, it is directed that the learned SDM/RA will decide the case filed on behalf of the petitioners herein expeditiously, preferably within a period of 6 months from today.

11. It is further directed that status quo with respect to possession of the land of the petitioners shall be maintained during the pendency of the proceedings before the learned SDM/RA.

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

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MINI PUSHKARNA, J

MAY 18th, 2023

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