



2024:DHC:1167



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

% Judgment delivered on: 13.02.2024

+ W.P.(C) 2061/2024

MR. HEM CHAND

..... Petitioner

versus

GOVT. OF NCT OF DELHI

..... Respondent

Advocates who appeared in this case:

For the Petitioner : Mr. M. Hasibuddin, Advocate

For the Respondent : Mr. Karan Bhardwaj, ASC with Mr. Rajat Gaba and Mr. Shubham Singh, Advocates

CORAM:**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA****JUDGMENT****TUSHAR RAO GEDELA, J. (ORAL)****[The proceeding has been conducted through Hybrid mode]**

1. The present writ petition has been filed under Article 226 of the Constitution of India seeking a direction in the nature of Mandamus to demarcate the lands falling under Khasra No. 375, Village Jasola, now known as Shaheen Bagh, Abul Fazal Enclave, New Delh-110025.

2. Learned counsel appearing for the respondent submits that the said lands were urbanized way back by the notification dated 03.06.1996 and as such, the Revenue Authorities, after the judgment of



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Supreme Court in *Mohinder Singh Through LRs vs. Narain Singh* reported in **2023 SCC OnLine SC 261**, may not have jurisdiction to consider the present petition. The notification dated 03.06.1996 is handed over the bench. The same is taken on record.

3. Learned counsel for the petitioner submits that the case of the petitioner is that the land in Khasra No. 375, Village Jasola which was not acquired by the Government is the one which is subject matter of the petition as also his representation dated 08.01.2024. He submits that the petitioner would be satisfied in case the respondents are directed to dispose of the said representation in accordance with law.

4. In view of the above submissions, the respondent is directed to consider and dispose of the representation dated 08.01.2024 within eight weeks from the date of service and pass a reasoned order, after giving one opportunity to the petitioner to participate. The order so passed should be furnished to the petitioner in order to enable him to take appropriate steps, thereafter.

5. This is without prejudice to the rights and contentions of the respondent on the ground of non-applicability of the DLR Act.

6. It is made clear that by passing the aforesaid order, no special equities shall arise in favour of the petitioner.

7. The petition is disposed of with the above directions.

TUSHAR RAO GEDELA, J.

FEBRUARY 13, 2024

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