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

+ **CONT.CAS(C) 386/2023**

POONAM DABASPetitioner

Through: Petitioner in person.

versus

SH VIJAY DEV DABAS . & ORS.Respondents

Through: Ms. Hetu Arora Sethi, Additional
Standing Counsel, GNCTD with Mr. Arjun Basra,
Advocate for GNCTD.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

17.12.2024

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1. This contempt petition has been preferred on behalf of the Petitioner alleging contempt of orders dated 02.05.2019, 09.05.2019, 14.05.2019 and 12.04.2022 in W.P.(C) 8833/2018.
2. On 30.08.2024, learned counsel appearing on behalf of the Respondents, on instructions, had stated that orders of this Court were complied with and had sought time to file an affidavit to this effect. Court had directed the Respondents to file an affidavit indicating compliance of the orders as also how the marking of the land and handing over of possession had been done. Respondents were directed to disclose whether the land of which possession was given to the Petitioner was part of the share of her ancestral property as well as indicate the status of mutation of the land.



3. Pursuant to the said order, affidavit has been filed on behalf of Respondents No.2 and 3 sworn by Sh. Kuldeep Singh, currently posted as Tehsildar, Narela, Revenue Department, Government of NCT of Delhi. It is stated in the affidavit that vide order dated 02.05.2019, Court had directed the Tehsildar concerned to file a Naksha or verify the sketch to be prepared by the Petitioner so that the area which could be handed over to the sister could be identified. By order dated 14.05.2019, Court directed handing over of possession of Khasra No. 13/23 to the Petitioner as also to provide due assistance in carrying out the exercise in presence of two witnesses. The order stands complied with on 18.05.2019 when possession was handed over and the entire proceedings were carried out in presence of the parties as well as Tehsildar and *Kanungo*. Parties were satisfied and signed on the proceedings including the Petitioner. The land was marked as per Naksha/Shizra/Map of Village Sultanpur Dabas and demarcation was done after fixing the four corners using manual measurement device 'FITA'. It is further stated that the land which is in possession of the Petitioner is part of the share of her ancestral property. The revenue records have been updated and Petitioner's name has been entered. Along with the affidavit, answering Respondents have filed copy of the Khatauni as also the report of the proceedings signed by the Petitioner with some photographs.

4. Ms. Poonam Dabas, who appears in person, submits that the affidavit is not in compliance with the directions passed by this Court as it is not categorically stated that one acre has been handed over, which was the direction of this Court. Ms. Hetu Arora, learned ASC appearing for GNCTD draws the attention of the Court to the proceedings dated 18.05.2019 signed by the Petitioner, which indicates that an area of 4 Bighas 16 Biswas was



handed over, which is one acre.

5. Having heard the Petitioner in person and counsel for the Respondents, this Court is satisfied that there is no wilful disobedience of the orders of this Court and directions have been complied with in letter and spirit. Accordingly, present contempt petition is closed and alleged contemnors are discharged.

6. It is, however, left open to the Petitioner to take recourse to legal remedies in case she is still aggrieved with respect to the measurement of the land of which possession has been handed over to her. Petitioner will also be at liberty to contest the status of the land with respect to the share being a part of her ancestral property, if so advised.

JYOTI SINGH, J

DECEMBER 17, 2024

YA/jg