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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 6166/2024

BRAHMWATI

..... Petitioner

Through: Ms. Smita Maan, Ms. Aditya and Mr.
Vishal Maan, Advocates

versus

GOVT OF NCT. OF DELHI AND ANR.

..... Respondents

Through: Mr. Karn Bhardwaj, ASC, GNCTD
with Mr. S. Singh and Mr. Rajat
Gaba, Advocates for R-1
Mr. Sanjay Singh, Proxy Advocate
for Mr. Arun Birbal, Advocate for R-
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CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

02.05.2024

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(The proceeding has been conducted through Hybrid Mode)

1. This is a writ petition under Article 226 of the Constitution of India, 1950, seeking demarcation of the land of the petitioner to the extent of 5 bigha 2 biswa in khasra number 1337 min situated in the revenue estate of village Bhati, New Delhi, by the appropriate proceedings.
2. Issue notice.
3. Notice is accepted by Mr. Bhardwaj, learned counsel appearing for the respondent no.1 and by Mr. Sanjay, proxy counsel for Mr. Birbal, learned counsel appearing for the respondent no.2.
4. Ms. Maan, learned counsel appearing for the petitioner submits



that the land for which the demarcation is sought belongs to petitioner and as such post notification the petitioner has impleaded the Delhi Development Authority for such purpose. She submits that the Village Bhati was notified as an urban village *vide* the Notification dated 20.11.2019, and is mentioned of the same at serial no. 43. She submits that the petitioner had filed an application seeking demarcation on 12.03.2024 to the SDM Saket as also the DDA, however, there was no response. She submits that petitioner is willing to bear the charges for such demarcation. She also refers to the judgment of the Coordinate Bench of this Court in *Surjit Kaur Vs. State of NCT of Delhi & Anr.* in **W.P.(C) 8663/2023** dated 19.12.2023 to submit that in similar circumstances, this Court had also directed the demarcation to be conducted.

5. At the admission stage, it is unclear as to whether the land record pertaining to the petitioner of village Bhati is in the custody of the GNCT of Delhi or transmitted to the DDA under Section 150 of the DLR Act, 1954.

6. Be that as it may.

7. Both the respondents shall jointly carry out the demarcation of the land of the petitioner comprising 5 bigha and 2 biswa in khasra number 1337 min in the revenue estate of village Bhati, New Delhi. Whichever agency has the records, the same shall be made available at the time when the demarcation proceedings are being carried out. The petitioner shall deposit the charges for the demarcation of such land within two weeks. The respondents are directed to intimate the petitioner as to the date on which such proceedings shall be



commenced, by a written notice in advance.

8. Once such proceedings are over, the authority conducting the demarcation proceedings, shall furnish the report to the petitioner within two weeks thereafter.

9. In view of above, the petition is disposed of with no order as to costs.

TUSHAR RAO GEDELA, J

MAY 2, 2024

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