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

+ **W.P.(C) 11091/2024**

DHEERAJ ARORA AND ORS.

.....Petitioners

Through: Mr. Vidur Kamra, Advocate.

versus

GOVT. OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Karn Bhardwaj, ACS with Mr. Rajat Gaba, Mr. Shubham Singh and Mr. Saurabh Gupta, Advocates for R-1, 2 & 5.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

09.08.2024

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1. The present petition seeks issuance of a writ of *Mandamus* directing the District Magistrate (Shahdara) and Sub-Divisional Magistrate (Shahdara) to enforce recoveries in terms of the Recovery Certificate issued in favour of Petitioners.
2. Mr. Vidur Kamra, counsel for Petitioner, submits that although the Petitioners have been following up with the concerned authorities, no action has been taken. However, apart from an averment to this effect, the petition is bereft of any document to demonstrate that the Petitioners have attempted to make a representation to the concerned Magistrate.
3. It is a settled law that a *Mandamus* cannot be issued to an authority without the petitioner first making an effort to approach the said authority in the first instance to address their grievance. When sufficient legal



mechanism and framework is already in place for execution of recovery certificate(s), the Court fails to understand how the present petition is maintainable. In light of the above, the Court is not inclined to entertain the present petition.

4. The petition is accordingly dismissed.

5. It is however clarified that the Petitioners shall be at liberty to approach the concerned Magistrate for execution of the Recovery Certificates which are subject matter of the present petition.

SANJEEV NARULA, J

AUGUST 9, 2024

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