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

+ **W.P.(C) 12295/2024**

RAM RATI

.....Petitioner

Through: **Mr. V.P.Rana, Advocate.**

versus

GOVT. OF NCT OF DELHI & ORS.

.....Respondents

Through: **Mr. Anupam Srivastava, Additional
Standing Counsel with Mr. Vasuh Mishra,
Advocate for GNCTD/Respondents No.1 and 2.**

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

03.09.2024

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1. This writ petition has been preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking a direction to Respondent No.2/Tehsildar (Alipur) to delete entries made in respective Khasra No. 56/4(4-16) situated in village Bakhtawarpur, Delhi in the revenue record or in the alternative for a direction to decide the representation dated 09.10.2023.

2. As per the case of the Petitioner as set out in the petition, she came in the possession of the land measuring 4 bighas and 16 biswas comprising in Khasra no. 56/4 (4-16) on 29.05.1984. Prior thereto the predecessor of the Petitioner was in possession since 29.05.1984. On 24.09.2022, Respondents No. 3 to 12 claiming to be legal heirs of one Asgar Ali filed an application for mutation of the property in their name without any notice to the Petitioner and without following the required procedure. Mutation

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order was passed on 24.09.2022. Petitioner challenged the mutation order of the Tehsildar before the Court of Finance Commissioner in Revision Case No. 01/2023 titled as ***Ram Rati v. Nawab Ali & Ors.*** By an order dated 06.04.2023, the Finance Commissioner set aside the order of the Tehsildar with a finding that the order is without jurisdiction and therefore *non-est* in law, in view of the fact that the village Bakhtawarpur, where the land is situated was urbanised vide notification dated 22.11.2019 under Section 507(a) of The Delhi Municipal Corporation Act, 1957 and the judgment of the Supreme Court in ***Mohinder Singh (Dead) through LRs and Another v. Narain Singh and Others, 2023 SCC OnLine SC 261***. A copy of this order was furnished to the Tehsildar along with an application dated 04.10.2023, requesting to delete the entries made in the revenue record on the basis of the earlier order dated 24.09.2022 which had been set aside by the Finance Commissioner. It is urged by the Petitioner that a representation was also submitted later on 09.10.2023, however, neither the application nor the representation has been decided, compelling the Petitioner to approach this Court.

3. Issue notice.
4. Mr. Anupam Srivastava, Additional Standing Counsel accepts notice on behalf of Respondents No.1 and 2.
5. Learned counsel submits that he would be satisfied at this stage if a direction is issued for disposal of pending application/representation.
6. In view of the above, writ petition is disposed of directing Respondent No.2/Tehsildar to dispose of the application dated 04.10.2023 and representation dated 09.10.2023 filed by the Petitioner, in accordance with

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law, within a period of six weeks from today. Needless to state that a reasoned and speaking order shall be passed, which will be communicated to the Petitioner within a week thereafter, who will be at liberty to take recourse to legal remedies in case of any surviving grievance.

JYOTI SINGH, J

SEPTEMBER 3, 2024

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