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

+ W.P.(C) 4414/2013 and CM APPL. 10218/2013

GAON SABHA KAPASHERAPetitioner

Through: Ms. Hetu Arora Sethi, Additional
Standing Counsel, GNCTD with Mr. Prakhar Mani
Tripathi, Advocate

versus

RAM SINGHRespondent

Through: Mr. Rajiv Shukla, Ms. Shivani
Kapoor, Mr. Sanjay Kumar and Mr. Pious Pritam
Bose, Advocates

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **12.09.2024**

1. This writ petition has been preferred on behalf of the Gaon Sabha Kapashera laying a challenge to an order dated 20.01.2011 passed by the Financial Commissioner, dismissing the Revision Petition of the Petitioner, wherein challenge was laid to an order dated 10.03.2008 passed in Revenue Appeal and order dated 16.07.2007 passed by the learned SDM/RA, Vasant Vihar.

2. At the outset, learned counsel for the Respondent submits that this petition is no longer maintainable in view of the undisputed fact that Village Kapashera has been urbanized by a Notification under Section 507(a) of the Delhi Municipal Corporation Act, 1957 issued on 25.09.2020. The said Notification is handed over in Court and is taken on record. Reliance is placed on the judgment of the Supreme Court in ***Mohinder Singh (Dead) Through Lrs and Another v. Narain Singh and Others***, 2023 SCC OnLine SC 261.



3. These proceedings emanate out of an order dated 16.07.2007 passed by SDM/RA, Vasant Vihar in case No. 11/RA/06 under Section 81 of Delhi Land Reforms Act, 1954 ('1954 Act') initiated on the ground that the *bhumidar* was using the subject land for non-agricultural purposes. However, as rightly contended by the Respondent, since village Kapashera in which the subject land is situated has been urbanised, provisions of the 1954 Act have ceased to apply. In view of the judgment of the Supreme Court in ***Mohinder Singh (Dead) Through Lrs and Another (supra)***, wherein the Supreme Court has observed that once a Notification is published under Section 507(a) of Delhi Municipal Corporation Act, 1957, provisions of 1954 Act cease to apply and in sequel thereto, proceedings under the 1954 Act would become *non-est* and lose their legal significance.

4. Accordingly, this writ petition is disposed of in view of the observations of the Supreme Court as the proceedings under the 1954 Act are no longer valid in the eyes of law. Pending application also stands disposed of.

JYOTI SINGH, J

SEPTEMBER 12, 2024/kks/shivam