



\$~148

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

+ **W.P.(C) 17453/2024**

REENA AND ORS

.....Petitioners

Through: Mr. V.P. Rana and Ms. Jyoti Nambiar, Advocates.

versus

GOVT OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Tushar Sannu, Standing Counsel for R-1.

Mr. Sanjay Kumar Pathak, Standing Counsel with Mrs. K.K. Keran Pathak, Mr. Sunil Kumar, Mr. M.S. Akhtar and Mr. Sami S. Siddiqui, Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

18.12.2024

%

1. This writ petition has been preferred on behalf of the Petitioners seeking a writ of mandamus directing the Respondents to issue "Sanand" in respect of the land falling in Khasra Nos. 1592 (2-5), 1593 (5-11), 1594 (4-16) and 1595 (4-16) situated in Village Punjab Khore, Delhi.
2. Case of the Petitioners is that Sh. Nawal Singh, predecessor-in-interest of Petitioners No. 1 to 7 along with Sh. Rattan Singh, father of Petitioner No. 8 came to India at the time of partition in 1947. Being displaced persons, Sh. Nawal Singh and Sh. Ved Prakash Singh son of Sh. Rattan Singh were entitled to allotment of land in India in lieu of the land left behind in Pakistan. Accordingly, they were allotted 34 bigha and 17 biswas land at Village Punjab Khore, Delhi leaving a deficiency of 17 bighas and 2 biswas.



3. It is averred that while Sh. Nawal Singh and Sh. Ved Prakash Singh were seeking allotment of deficient land, a litigation ensued between them and Sh. Jai Lal in 1974 and was finally decided in CWP No. 1153/1974 on 13.03.1992 when this Court directed that Sh. Nawal Singh and Sh. Rattan Singh should be allotted some other land and not the land claimed by Sh. Jai Lal. This judgment was challenged by the predecessors of the Petitioners in LPA No. 68/1992 and vide order dated 29.10.1993, the appeal was dismissed observing that present Petitioners be allotted land within six months as per the judgment of the learned Single Judge. Petitioners state that pursuant to the directions of the Court, allotment was made to the Petitioners in Khasra Nos. 1592(2-5), 1593(5-11), 1194(4-16), 1595(4-16) in Village Punjab Khore on a temporary basis vide letter dated 03/04.03.1999.

4. The grievance of the Petitioners before this Court is that the allotment is temporary and incomplete in the absence of Sanand (title) and since 1999, Petitioners have been running from pillar to post requesting the concerned officials to issue a Sanand. Several representations filed by the Petitioners have been appended along with the writ petition. It is stated for the sake of completeness that Sh. Nawal Singh expired on 24.11.2003 leaving behind Sh. R.P. Sehrawat as his legal heir who also expired on 16.11.2021 leaving behind Petitioners No. 1 to 7 while Sh. Ved Prakash Singh/Petitioner No. 8 is the son of Sh. Rattan Singh who expired well before the allotment letter.

5. Issue notice.

6. Counsels, as above, accept notice on behalf of respective Respondents.

7. From the chronology of dates and events mentioned in the writ petition, it appears that predecessors-in-interest of the Petitioners were



allotted land as displaced persons in view of the lands left behind in Pakistan at time of partition and subsequently, post a litigation in this Court with a third party, an allotment letter has been issued in their favour. The limited grievance raised is for issuance of a Sanand/title in the absence of which the allotment is not complete. Several representations made to the Respondents have been placed on record by the Petitioners wherein they have been asserting their right for issuance of a title document but to no avail.

8. In my view, the grievance of the Petitioners merits consideration. Nearly two decades have passed since the Petitioners have been requesting the Respondents to act and perform their legal obligations but no heed has been paid. The inaction is totally unwarranted and unjustified. Accordingly, this writ petition is disposed of directing Respondent No. 2 to treat this writ petition as a representation and examine the allotment letter issued in favour of the Petitioners and take necessary action in accordance with law. Needless to state that if the Petitioners are found entitled, the Sanand shall be issued in their favour. If any formalities are required to be completed, due intimation will be given to the Petitioners to do the needful. If for any reason, the decision is otherwise, a reasoned and speaking order shall be passed which shall be conveyed to the Petitioners and they will be at liberty to take recourse legal remedies, if so advised. The entire exercise will be completed within two months from the date of receipt of this order.

JYOTI SINGH, J

DECEMBER 18, 2024/shivam