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

+ LPA 161/2022, CM APPL. 11162/2022-Stay, CM APPL. 12759/2022-For grant of leave to file the letters patent appeal against the impugned order dt. 03.02.2022, CM APPL. 19332/2022-Dir

GURUDWARA SHRI GURU SINGH SABHA REGDAppellant

Through: Mr. S.S. Dhir and Mr. Sparsh
Kanwal, Advocates

versus

RAVI PRAKASH SHARMA & ORS.Respondents

Through: Mr. C. Mohan Rao, Sr. Adv. with Mr.
Kunal Mittal and Mr. Lokesh Kumar
Sharma, Advocates for R-1.

Ms. Manika Tripathi, SC for DDA
with Ms. Latika Malhotra, Panel
Counsel, Mr. Gautam Yadav and Mr.
Sanjay Singh, Advocates.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

23.01.2025

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1. The present appeal under Clause 10 of the Letters Patent Appeal has been preferred by the Gurudwara Shri Guru Singh Sabha (Registered) assailing the order dated 03.02.2022 passed by the learned Single Judge in W.P.(C) No. 10036/2020, wherein the appellant herein was not a party. In fact, vide the impugned order the learned Single Judge has, while allowing the Writ Petition preferred by the respondent no.1, directed the respondent no.2 to demarcate the portion of the Plot No. 12, Shankar Vihar, Vikas Marg, Delhi-110092 of which the said respondent no.1 claims ownership,



particularly is separated for enabling him to amalgamate the same with the adjacent Plot No.13, which is, admittedly, owned by the very same respondent no.1.

2. Learned counsel for the appellant submits that the aforesaid order was passed without impleading the appellant society, which is also in occupation of a part of the aforesaid Plot No.12, and therefore, prays that the same be set aside, and the Writ Petition be remanded back to the learned Single Judge for fresh adjudication after considering the stand of the appellant.

3. Having perused the impugned order, as also the order dated 21.01.2025 passed by this Court in LPA 289/2022 vide which the appeal preferred by the DDA/respondent no.2 against the very same impugned order has been rejected, we find no merit in the appellant's plea raised in the present appeal. Once it is the appellant's own case that it is only in possession of a part of Plot No.12, the appellant can have no objection to the directions issued vide the impugned order to demarcate the Plot as per the entitlement of the respondent no.1.

4. We, therefore, find no merit in the appeal which, accompanied by the pending applications, is accordingly dismissed. Consequently, all interim orders also stand vacated.

REKHA PALLI, J

SAURABH BANERJEE, J

JANUARY 23, 2025/akr