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

+ **W.P.(C) 5295/2025**

JAI BHAGWAN AND ORS

.....Petitioners

Through: **Mr. Sunil Chauhan, Advocate.**

versus

DEPUTY COMMISSIONER AND ORS

.....Respondents

Through: **Mr. Dinesh Malik, Panel Counsel
for GNCTD with Mr. Puneet Jain,
Advocate with Mr. Vijay Kumar,
Tehsildar, Najafgarh.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **25.04.2025**

CM APPL. 24166/2025 (for exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

W.P.(C) 5295/2025 and CM APPL. 24165/2025 (for stay)

3. Issue notice. Mr. Dinesh Malik, learned Panel Counsel, accepts notice on behalf of the Government of National Capital Territory of Delhi.
4. The petitioners have filed this writ petition under Article 226 of the Constitution, seeking directions against the revenue authorities restraining them from interfering in their peaceful possession of the land comprised in Khasra no. 167 Min (5-12), 46/10 (4-16), 20/1 (1-6) and 63/19/2 (1-



10), 45/21 (4-6), 339 (4-16), 119 (4-17), 200 Min, 201 Min (4-16) and 200 Min (4-16) in Revenue Estate of Village Mundhela Kalan, Delhi [“subject land”].

5. It appears from the writ petition that the petitioners have filed petitions under Section 74(4) of the Delhi Land Reforms Act, 1954 [“DLRA”], before the Sub-Divisional Magistrate [“SDM”], seeking declaration of their *bhumidari* rights in respect of the land in question.

6. The petitions were dismissed by the Revenue Assistant *vide* order dated 31.10.2022. The petitioners claim to have filed an appeal before the Deputy Commissioner under Section 185 of the DLRA in January 2023, but their grievance is that no effective hearing has taken place in the appeal, and therefore, their cultivatory and possessory rights are sought to be interfered with by the revenue authorities.

7. Having regard to the fact that the petitioners’ appeal is pending before the Deputy Commissioner, I am of the view that the appropriate course is to direct the Deputy Commissioner to take up the appeal expeditiously and pass such interim orders as he/she may consider necessary, rather than for this Court to entertain the writ petition at this stage.

8. The writ petition is disposed of by directing the Deputy Commissioner to take up the petitioners’ appeal within the next four weeks, and pass necessary interim or final orders, within a period of eight weeks thereafter, after hearing the relevant parties.

9. Until the order of Deputy Commissioner is passed, the parties, including the petitioners, will maintain *status quo* with respect to the nature, character, title and possession of the subject land.



10. It is made clear that this Court has not considered the case of the petitioners on merits, and has only passed this order to ensure that no precipitate action is taken until the Deputy Commissioner is able to take up the appeal.

APRIL 25, 2025
uk/SD/

PRATEEK JALAN, J