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

+ **W.P.(C) 16452/2024**

RAJESH KUMAR & ANR.

.....Petitioners

Through: **Mr. Abhimanyu Singh Khatri,**
Advocates.

versus

TEHSILDAR & ANR.

.....Respondents

Through: **Mr. Anubhav Gupta, Panel**
Counsel (Civil), GNCTD.
Ms. Kritika Gupta, Mr. Shashi
Pratap Singh & Ms. Muskaan
Garg, Advocates for R-2/DDA.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **08.05.2025**

CM APPL. 69444/2024(*exemption*)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

CM APPL. 27699/2025(*early hearing*)

1. This application has been filed by the petitioner for early hearing of the writ petition.
2. Having regard to the fact that the writ petition only seeks a direction for demarcation of land, the application is allowed and the writ petition is taken up for hearing with the consent of learned counsel for the parties.



W.P.(C) 16452/2024

1. The relief sought in this writ petition is for a direction upon the respondents [revenue authorities of Government of National Capital Territory of Delhi ["GNCTD"] and Delhi Development Authority ["DDA"]] to demarcate the land bearing *Khasra No. 41/1 (4-16), 2 (4-16), 3 (4-16), 8 (4-16), 9 (4-16), 10 (4-16), 11 (4-16), 12 (4-16), 13 (4-16)*. The petitioner claims to be owner in possession of the land. In support of this contention, he has filed copies of Khatoni with the writ petition, and also recently issued Khatoni alongwith a subsequent index, dated 07.12.2024.
2. Despite issuance of notice on 09.12.2024, and direction for filing counter affidavits before the next date of hearing, i.e. 30.01.2025, no counter affidavits have been filed by either of the respondents.
3. Mr. Anubhav Gupta, learned counsel for the GNCTD, submits that the village in question has been urbanised by a notification dated 20.11.2019. He therefore submits that it is the DDA, which would have to undertake the task of demarcation, and that the revenue authorities will assist the DDA in this process. Ms. Kritika Gupta, learned counsel for DDA however, submits that the land in question has not been handed over to DDA either under the Delhi Development Act, 1957, or even pursuant to the urbanisation notification. She therefore submits that DDA would have no jurisdiction to undertake the process of demarcation at this stage.
4. Having regard to the fact that demarcation is admittedly required to be carried out, and the controversy is limited to identifying the agency



responsible for carrying it out, I am of the view that this issue is required to be sorted out between the respondents *inter se*. The concerned Sub-Divisional Magistrate and Deputy Director (Land Management), DDA are directed to coordinate, and ensure that an appropriate decision is taken within a period of four weeks from today. If the land has been handed over to DDA, the revenue authorities will assist the DDA in carrying out the demarcation. If the land has not been handed over to DDA, the revenue authorities will carry out the demarcation themselves. In either case, the decision be communicated to the petitioner, and to learned counsel on record for the petitioner, within a period of four weeks. The process of demarcation be carried out within three months thereafter, for which the petitioner will bear the expenses.

5. The writ petition stands disposed of with these directions.
6. The next date of hearing, i.e. 21.07.2025 stands cancelled.

PRATEEK JALAN, J

MAY 8, 2025

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