



\$~98

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

+ **W.P.(C) 17082/2024**

SATBIR SINGH

.....Petitioner

Through: Ms. Aarushi Gupta, Advocate.

versus

GOVT OF NCT OF DELHI & ORS.

.....Respondents

Through: Ms. Avni Singh, Advocate for R-1 &
4.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

16.01.2025

%

W.P.(C) 17082/2024 & CM APPL. 2641/2025 (for directions)

1. The petitioner has filed this application for a direction upon the respondent No. 4-Deputy Commissioner, Distt. North West, Kanjhawala to dispose of an application filed by him for withdrawal of Appeal No. 18/2021 filed under Section 64(1) of the Delhi Land Revenue Act, 1954.

2. With the consent of learned counsel for the petitioner and respondent Nos. 1 and 4, who entered appearance on the last date of hearing, the writ petition is taken up for hearing.

3. The writ petitioner filed an application dated 13.03.2009 with the Revenue Assistant/SDM, Kanjhawala, seeking mutation of immovable property at *Khatta No. 5 land measuring 122 Bighas 6 Biswas in the revenue estate of Village Karala, Delhi*. An objection was received from respondent Nos. 2 and 3 herein, pursuant to which the matter was referred to the Court



of the SDM for adjudication. The petitioner's case was rejected by order of the Revenue Assistant/SDM dated 08.07.2021 (signed on 07.07.2021). The writ petitioner has filed Appeal No. 18/2021 before the Deputy Commissioner (Kanjhawala) against the aforesaid order. On 15.10.2024, he filed an application seeking leave to withdraw the appeal, in view of notification dated 16.05.2017 by which the village in question has been urbanised.

4. Learned counsel for Government of National Capital Territory of Delhi ["GNCTD"] submits that she has no objection to the appeal being treated as withdrawn at the request of the petitioner.

5. Learned counsel for the petitioner has taken instructions and states that the writ petition itself may be disposed of on this basis, leaving it open to the petitioner to take his remedies before the civil Court.

6. In view of the above submissions, it is directed that Appeal No. 18/2021 filed by the writ petitioner before the Deputy Commissioner, Distt. North-West is not pressed and will be treated as disposed of. The writ petition is also dismissed as withdrawn.

7. The petitioner is free to take such remedies as may be available to him in law but this is without prejudice to the rights and contentions of the respondent Nos. 2 and 3 on the maintainability or merits of any such remedy. This Court has made no comments thereupon.

8. The writ petition and all pending applications stand withdrawn and the next date of hearing stands cancelled.

PRATEEK JALAN, J

JANUARY 16, 2025/MR/AL/