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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 18995/2025 & CM APPL. 79076/2025

MR RAJAN PATHAK

.....Petitioner

Through: Mr. Siddhart Gautam, Advocate.

versus

GOVT NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Sachin Garg, Ms. Vishruti Pandey
and Ms. Jyoti Tyagi, Advocates for
Mr. Yeeshu Jain, ASC for R-1 to 4.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

23.12.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Articles 226/227 of the Constitution of India, 1950, seeks following prayers: -

“a) Issue a writ of mandamus directing Respondent No. 1 (District Magistrate, South West Delhi) and Respondents No. 2 & 3 (SDM, Dwarka / SDM, Kapashera) to forthwith execute the Recovery Certificate dated 13.12.2024 issued in favour of the Petitioner for Rs. 43,99,829/- along with 15% p.a. interest and recover the same from Respondent No. 5 as arrears of land revenue;

b) Direct the Respondents to complete the recovery proceedings within a time-bound manner;;

c) Direct Respondent No. 5 to deposit the entire gratuity amount along with statutory interest before this Hon'ble Court or before the executing authority;

d) Award costs of the present petition; e) Pass any other order(s) deemed fit in the interests of justice.”



3. Learned counsel appearing on behalf of the respondent no.3/SDM Dwarka Sector-10, New Delhi, has handed up in Court today a communication dated 03.12.2025 sent to Collector, Mumbai, Suburban District Administrative Building, 10th Floor, Government Colony, Bandra (East), Mumbai, which records as under:-

“In reference to your Letter No. COLL/NT/R.R.C/W.S-1409/2024 dated 17.01.2025, received in this office on 03.02.2025, the following is submitted for your kind perusal:

A notice dated 07.03.2025 was issued to M/s SPA Investment Advisor Pvt. Ltd. through the SHO, Janakpuri. However, no report was received from the police station in response to the said notice.

Subsequently, a Warrant of Arrest was issued on 29.04.2025 to the SHO, Janakpuri. The Warrant of Arrest report was received in this office on 10.06.2025, wherein it was stated that the company had shifted its premises to an unknown address/place a considerable time ago, due to which its current place of business could not be ascertained. Thereafter, during July 2025, multiple attempts were made by the Halka Patwari and the staff of this office to trace the current address of the company. However, no information could be gathered regarding its present functioning location. In view of the non-availability of the company's present address, attachment proceedings could not be initiated.”

4. The aforesaid communication is taken on record.

5. In view of the above, the present petition is disposed of with directions to respondent no. 3 to complete the recovery proceedings as expeditiously as possible, preferably within a period of four months from today.

6. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

DECEMBER 23, 2025/sn