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

+ W.P.(C) 15077/2021, CM APPL. 47533/2021, CM APPL.
17755/2024
DEEPAK & ANR.

.....Petitioners

Through: Mr. N. S. Dalal and Ms. Jyoti
Nambiar, Advocates.

versus

GOVT. OF NCT OF DELHI & ORS.Respondents

Through: Ms. Avshreya Pratap Singh Rudy,
CGSC with Ms. Usha Jamnal, Ms.
Nyasa Sharma and Mr. Ankit Khatri,
Advocates for Delhi Police with SI
Deepak Lathwal, PS-Narela Ind.
Area.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
10.02.2026

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1. This writ petition, *inter alia*, seeks a direction restraining the Respondent authorities from entering upon the property bearing Khasra No. 35/1 min (2-15), admeasuring 530 square yards, situated in Village Sanoth, Delhi, or from interfering with the Petitioners' alleged peaceful use and enjoyment thereof without prior notice, intimation or opportunity of hearing.
2. Petitioner No. 1, son of late Sh. Ranbir, and Petitioner No. 2, son of late Sh. Bijender Singh, both predeceased sons of late Sh. Chote Lal, contend that late Sh. Chote Lal was the recorded owner of the land comprised in Khasra No. 35/1. Upon his demise, the land is stated to have



been mutated in the names of the Petitioners and Sh. Pradeep, another son of Sh. Ranbir, on 30th April, 2013.

3. It is the case of the Petitioners that while they were raising a boundary wall on the subject property and had stacked bricks for that purpose, certain unknown persons entered the land and threatened them and their workmen. The Petitioners called the police; however, according to them, no action was taken thereon. It is further alleged that on 22nd December, 2021, certain persons in civil clothes, accompanied by local police officials led by Respondents Nos. 4 and 5, reached the property and seized the bricks lying thereon.

4. Aggrieved, the Petitioners filed the present writ petition, seeking the following reliefs:

“a. Pass an order thereby prohibiting the Respondents from further entering into the subject property i.e. plot measuring 530 Sq. Yds. bearing Khasra no. 35/1 min(2-15), situated at Colony Known As Sanoth Extension Part-1, Village Sanoth, Delhi 110040, or causing any interference in peaceful use and enjoyment of property without prior notice and/or intimation and/or hearing to the Petitioners;

b. Pass an order thereby directing the Respondents to disclose the Order or letter of law under which they have conducted the seizure and further prohibiting the Respondents from further seizing without prior notice and/or intimation and/or hearing to the Petitioners;

c. Pass an order thereby directing the Respondents to restore the seized bricks taken from subject property i.e. plot measuring 530 Sq. Yds. bearing Khasra no. 35/1 min(2-15), situated at Colony.”

5. In response, Delhi Police has filed their status report, to the following effect:

“1. That the property was initially having ownership of Late Chhote Lal S/o Sh. Amar Singh R/o VPO Sannoth, Narela, Delhi who was a farmer and the land under Khasra No. 35/1, Village Sannoth, Narela, Delhi was 04 Bigha 09 Biswas in total.



2. *That in the year 1984-1985, Sh. Chhote Lal sold the whole land in the form of plots with collaboration with local builders and he had also given possession of the plots to their respective owners accordingly.*
3. *That the said land bearing Khasra No. 35/1, Village Sannothe, Narela, Delhi was cut into small and big plots and hence the Khasra got converted into a small colony/plot namely Sannothe Extension.*
4. *That the said plots were sold through registered sale deed in the name of their respective owners and all the plots had been acquired by their respective owners at the same time. That some of the plots were converted into houses and some of the plots were cordoned by walls accordingly.*
5. *That the property in question was initially purchased by 1 (one) Indra Devi W/o Sh. P.C. Jain and the said plot was initially admeasuring of 575 Sq. Yards. The said plot was purchased by Indira Devi from Late Chhote Lal on 20.02.1984 through registered sale deed and the same is on record.*
6. *After that Smt. Indra Devi W/o Sh. P.C. Jain sold the said plot to 1 (one) Smt. Chameli Devi W/o Sh. Murari Lal through registered General Power of Attorney & registered Will on 03/05/2001 and the same is also on record.*
7. *That after the death of Late Sh. Chhote Lal S/o Sh. Amar Singh, their grandsons (present petitioners) raised alarm and claimed their right over the property under Khasra No. 35/1, Village Sannothe, Narela, Delhi and they got their names registered in the respective Mutations of the said Khasra in the revenue record after the death of Sh. Chhote Lal.*
8. *That as per the new mutation, Petitioners are the rightful owner of the whole Khasra No. 35/1, Village Sannothe, Narela, Delhi however, there are number of plots in the said Khasra presently and many houses are built over the said land.*
9. *That in such situation Petitioner tried to take the possession of the empty plots only at the first stage and hence filed their respective civil suits before the Learned District Court at Rohini which are still pending. That initially there was a Civil Suit pending between Pardeep Vs Ravinder Dagar but at the later stage, Ravinder Dagar withdrew his name from the suit and new Petitioner joined the suit as claimant over the said disputed land admeasuring 530 Sq. yards.*
10. *Pursuant to that Smt. Chameli Devi w/o Sh. Murari Lal also sold that plot to 1 (one) Smt. Bimla Devi W/o Sh. Satbir Singh on 26.11.2021 through registered General Power of Attorney and Will and now as per documents, Smt. Bimla Devi W/o Sh. Satbir Singh is the owner as per documents and Petitioner have got the Mutation in their favour as per the rule after the death of Late Chhote Lal. It is pertinent to mention here that now Smt. Bimla Devi joined the said civil suit and as per the version of the parties the said civil suit is still pending before the Hon'ble Court of Sh. Virender Singh, Civil Judge at Rohini Court, Delhi.*



11. *It is pertinent to mention here that during the proceedings of civil suit Hon'ble court of Sh. Dhirender Rana, Senior Civil Judge cum RC (North) passed a detailed order that "Both parties are directed to maintain status quo in the suit property i.e., Plot measuring 530 Sq. Yards part of Khasra No. 35/1 and plot measuring 381 Sq. Yards part of Khasra No. 27/21 situated at Village Sannothe in the colony known as Sannothe Extension, Part-I, Narela, Delhi till the next date of hearing. Since parties are well aware about their rights then in case of any encroachment or illegal dispossession, they are at liberty to approach the local police for immediate relief."*

12. *That Smt. Bimla Devi W/o Sh. Satbir Singh gave a written complaint to the police station stating therein that second party is trying to encroach the said plot by putting bricks over the land. That on receipt of the said complaint, the place was visited and found that there was a wall of bricks surrounding the boundary of the said plot measuring 530 Sq. yards and several bricks were put inside the plot with the only intention of taking possession over the piece of land. That in connection with this act on the part of the Petitioners several PCR calls were also made earlier when the said plot was surrounded by the wall of bricks but they were located outside the plot but over the corner of the boundary.*

13. *That on 21.12.2021, again PCR calls were received in the morning regarding dispossessing one of the party and taking illegal possessions over the said land. During the enquiry and taking action over the said act, Petitioner was advised to remove the number of bricks which were put inside the plot but they refused doing the same and also threatened local police of the dire consequences and false complaints. That during the proceedings of the civil suit no such brick wall was present at the property in question and both the parties have been directed at several platforms to join enquiry at police station but Petitioner refused to join enquiry and tried to take the possession over the piece of land through this act. That the said bricks were put there on 30.11.2021 after the order of the Hon'ble Court to maintain Status quo.*

14. *That the Petitioner was advised to remove the bricks from the said plot and only after their denial the said exercise was performed by the local police to enact the order of the Ld. Civil Court."*

6. It thus emerges that a dispute subsists with respect to the subject land and that a civil suit pertaining to the same is presently ongoing, wherein the Civil Court has directed the parties to maintain *status quo*. In the aforesaid backdrop, upon receipt of a complaint from one Bimla Devi, the police visited the site and found bricks placed along the boundary as well as within



the plot, which indicated an attempt to assert possession. It is further recorded that on 21st December, 2021, PCR calls were received alleging illegal dispossession by the Petitioners. The Petitioners were also advised to remove the bricks; however, upon their refusal and in view of the prevailing *status quo* order, the police proceeded to remove the bricks to prevent escalation of the dispute.

7. Having regard to the fact that the matter relating to title and possession is *sub judice* before the competent Civil Court, which has already passed appropriate orders, this Court, in exercise of its writ jurisdiction, refrains from entering into the merits of the rival claims. Any action in respect of the property shall be in conformity with the directions issued by the Civil Court.

8. Insofar as the Petitioners' request for restoration of the removed bricks is concerned, it is noted that no FIR has been registered pursuant to the PCR call and the seized bricks do not constitute case property. The Petitioners are therefore at liberty to submit a formal application to the ACP, P.S. Narela for release of the bricks. Upon receipt thereof, the competent authority shall consider the same and pass appropriate orders, in accordance with law.

9. With the above directions, the petition is disposed of along with pending applications.

SANJEEV NARULA, J

FEBRUARY 10, 2026

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