

14 EXECUTION CIVIL 315-25
Krishan Through his mother Mamta Devi Vs. CCL Aditiya and
Anr

16.03.2026

Present: DH in person with ld counsel Ms. Jyoti Gulati and Ms. Isha.
None for JD.
Sh. Manish Sehrawat, Reader to SDM Rohini has appeared on bailable warrants on SDM.

It is submitted by Reader to SDM that the then SDM who was served with notice and has not complied has been transferred to Daman & Diu and new SDM Sh. Ashish Joon has joined from Andaman and Nicobar. The Reader has filed the report of SDM. As per report, the premises have been found locked and the JD is not being located. It is stated that the efforts are being done to verify the ownership of premises.

It appears that Ld. EM is not conversant with recovery rules under DLR Act 1954.

As per section 136 of DLR Act 1954 there are various methods for recovery of arrears of land revenue. Once writ of demand is issued under section 137, if the defaulter fails to pay the amount the Tehsildar/EM has power to proceed under section 138 and arrest the defaulter and at the same time initiate proceedings under sections 139 and 140, for attachment and sale of movable property or holding of the defaulter. Even if it is a case where the defaulter does not have the property under the jurisdiction of Tehsildar/EM concerned there is power to transfer the recovery certificate, under section 3 Revenue Recovery Act

1890, to the District Officer of place concerned.

However, no such process is initiated against the JDs.

Therefore the recovery certificate be returned to SDM/EM concerned with direction to recover the amount from JDs as per the provisions of Delhi Land Revenue Act 1954 and remit the recovered amount to the DH i.e:-

Krishan Kumar
Through his mother
Smt. Mamta Devi,
R/o D-95/1, Vijay Vihar,
Phase-2, Delhi.

If the amount remains unpaid for 6 months despite taking recourse of coercive measures as discussed above the Tehsildar/EM concerned shall file detail report in this Court, with a copy of same to DH.

With these directions the execution petition is disposed off, with liberty to revive the same if the amount under recovery certificate remains unpaid.

A Copy of this order be sent to Tehsildar/EM concerned.

File be consigned to record room.

(Vikram)
DJ-1+ MACT, N/W, Rohini Courts,
16.03.2026