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

+ **CRL.M.C. 361/2023**

SH. DHARMENDER Petitioner

Through: Mr. SP Mehta, Adv.

versus

STATE & ANR. Respondent

Through: Mr. Ajay Vikram Singh, APP

Mr. SI Rahul Kumar, ASI Ashok Kumar, PS New
Ashok Nagar

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

% **19.01.2023**

CRL.M.A. 1439/2023-EX.

Allowed subject to all just exceptions.

The application stands disposed of.

CRL.M.C. 361/2023

This is a petition filed seeking setting aside of the order dated 07.11.2022 passed in Crl. Rev. No. 144/2022 by the learned ASJ-03 (East), Karkardooma Courts, Delhi and also seeking to set aside the order dated 22.07.2022 passed by the Executive Magistrate.

It is stated by Mr. Mehta, learned counsel for the petitioner that the Executive Magistrate has decided the title and possession of the property which he cannot do in Kalandra proceedings. He further states that the Revision Court has failed to rectify the said defect in the order of the learned Executive Magistrate by passing the order dated 07.11.2022.

Issue notice to the respondent through all modes including electronic on the petitioner taking steps within 1 week from today.

List on 08.05.2023.



CRL.M.A. 1440/2023-STAY

Issue notice to the respondent through all modes including electronic on the petitioner taking steps within 1 week from today.

Notice is returnable on 08.05.2023.

Since there is a dispute with regard to the title and possession of the property, it is directed that the respondent No.1 shall not transfer the possession of the property bearing No. C-1/131, New Kondli, Delhi to any third party, till the next date of hearing.

JASMEET SINGH, J

JANUARY 19, 2023 / (MS)

Click here to check corrigendum, if any