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

+ **W.P.(C) 788/2021 and CM APPL. 27282/2022**

RANVIR SINGH RANA

..... Petitioner

Through: Mr A.K. Singh, Mr Awan Rana, Mr
Kamlesh Kamal, Mr Samridhi Nayak
and Mr Haridwar Singh, Advocates.

versus

GOVT OF NCT OF DELHI AND ANR

..... Respondents

Through: Mr Rajneesh Sharma, Advocate for
LAC.

AND

+ **W.P.(C) 789/2021 and CM APPL. 27295/2022**

INDER SINGH SINCE DECEASED

THROUGH LR KRISHAN RANA

..... Petitioner

Through: Mr A.K. Singh, Mr Awan Rana, Mr
Kamlesh Kamal, Mr Samridhi Nayak
and Mr Haridwar Singh, Advocates.

versus

GOVT OF NCT OF DELHI AND ANR.

..... Respondents

Through: Mr Rajneesh Sharma, Advocate for
LAC.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

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09.02.2024

1. The petitioners have filed the present petitions, *inter alia*, impugning an order dated 18.01.2020 passed by the respondents rejecting the request of the petitioners to make a reference under Section 18 of the Land Acquisition Act, 1894 on the ground that no such records were found.

2. It is the petitioners' case that they had filed an application for making a reference within the stipulated period, that is, in March 2012. It is also



stated that they had subsequently obtained certified copies of the applications, which have been placed on record.

3. It is contended that the fact that certified copies of the applications were provided by the respondent belie the contention that no records were found in respect of the said reference. The petitioners also rely on the internal legal opinion, which suggests that the Department was advised to forward the applications filed by the petitioners.

4. The respondents have filed a counter affidavit questioning the genuineness of the applications claimed to be filed by the petitioners. Paragraph 7 of the said counter affidavit indicates that the inquiry was conducted in respect of 46 applications. Whilst 36 were found to be genuine and were forwarded to the court, 10 applications were found to be ingenuine and these petitions concern such two applications.

5. The learned counsel appearing for the respondents submits that inquiries had revealed that the diary numbers as mentioned were not genuine and had been picked up from earlier references that were forwarded to the Court.

6. The learned counsel for the petitioners challenges the said contention as the counter affidavit does not reflect any such averment.

7. In our view, if the original diary records the receipt of applications in seriatim and has assigned the diary numbers in respect of the applications filed by the petitioners to other applications that were referred earlier, the same may support the contention of the respondents. We direct that the



original diary of the relevant period be produced on the next date of hearing.

8. List on 26.02.2024.

VIBHU BAKHRU, J

TARA VITASTA GANJU, J

FEBRUARY 09, 2024
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