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

+ **W.P.(C) 1197/2024**

SH. RISHI PAL & ORS.

..... Petitioners

Through: Mr. Ved Pal Rana, Advocate

versus

GOVT. OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Rajeev Aggarwal, ASC for R-1 to
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CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

09.02.2024

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(The proceeding has been conducted through Hybrid Mode)

1. Mr. Rajeev Aggarwal, learned ASC appearing for GNCTD submits that in almost identical factual situation, learned Coordinate Bench of this Court *vide* order dated 22.05.2023 in W.P.(C) 6987/2023 captioned as *Radiance Fincap P Ltd Through Its Authorized Representative Shri Mukesh Rana Vs. Govt of NCT OF Delhi Department Of Revenue Through Divisional commissioner & Anr* had categorically held that once the effect of *Mohinder Singh (Dead) through LRs and Another Vs. Narain Singh & Ors.*, reported as *2023 SCC OnLine SC 261* is made applicable to all the urbanized areas in Delhi, the proceedings pending or having culminated in the orders of the Financial Commissioner would become *non est* in law.
2. Learned Coordinate Bench has also observed that the rights of the petitioner as such cannot be completely shut out and directed that



the proceedings can be taken out by the petitioner in that case in Civil Court of competent jurisdiction.

3. Having observed the facts arising in the said case and the ratio laid down therein and applying to the facts of this case, this Court is also of the considered opinion, that the petitioner may have to approach the Civil Court of the competent jurisdiction for his remedies.

4. Mr. Rana, learned counsel for the petitioner seeks some time to place on record judgments to the contrary for the consideration of this Court.

5. List again on 28.02.2024 in the supplementary list.

TUSHAR RAO GEDELA, J

FEBRUARY 9, 2024/ms