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

+ **CONT.CAS(C) 660/2025**

**SMT. KAMLA SETH SINCE DECEASED THROUGH HER
LEGAL HEIR & ORS.**Petitioners

Through: Mr. Rohit Gandhi, Ms. Charu Shahi
and Mr. Hargun Singh Kalra, Advs.

versus

SH. PANKAJ NARESH AGRAWAL & ANR.Respondents

Through: Mr. Kapil Dutta and Mr. Siddharth
Parashar, Advs. for MCD.
Mr. Anand Prakash, SC with Ms.
Varsha Arya and Mr. Satbeer, Advs.
for MCD.

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+ **W.P.(C) 5270/2013**

KAMLA SETHPetitioner

Through: Mr. Rohit Gandhi, Ms. Charu Shahi
and Mr. Hargun Singh Kalra, Advs.

versus

**ADDITIONAL DISTRICT MAGISTRAE-CUM-LAND
ACQUISITION COLLECTOR (EAST) & ORS**Respondents

Through: Mr. Sanjay Kumar Pathak, Standing
Counsel with Mrs. K. K. Kiran Pathak
and Mr. M.S. Akhtar, Advs. for R-1, 2
and 4.
Mr. Amit Singh, Mr. Ankit Ambasta,
Mr. Praveen Chaturvedi and Mr. Jyoti



Chaturvedi, Advs. for R-5.
Mr. Anand Prakash, SC with Ms.
Varsha Arya and Mr. Satbeer, Advs.
for MCD.

CORAM:
HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
% **13.10.2025**

CM APPL. 25214/2025 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. *Mr. Pathak*, learned counsel for the LAC, in view of the factual background, is directed to produce the revenue record of ownership in relation to land bearing *Khasra No. 465/362/1*.
4. We are passing this order keeping in mind the fact that the Section 4 notification dated 04th May, 2012 is not in relation to the said land, but pertains to *Khasra No. 466* along with its *sub-khasras*, while the proposal for acquisition speaks of the acquisition of the land of the petitioner.
5. The petitioner claims to be the owner of the land bearing *Khasra No. 465/362/1* and seeks to rely on the sale deed dated 13th December 1963 to that effect. It is stated that a school has been running on the said land since 16th July 1960 at *Kailash Nagar*, the eviction of which was upheld up to this Court.
6. Since the land is required by the MCD for a public purpose, namely for the running of the school, a proposal has been made to acquire the land in



question.

7. If we go by the Section 4 notification, the same does not contain the *Khasra number* reflected in the judgment and decree of eviction. Instead, a different *Khasra number* is mentioned therein. However, the respondent MCD, as also the LAC, are claiming that they are acquiring the land of the petitioner for a public purpose viz. for running the school in question.

8. As such, in the given factual matrix, it is necessary to ascertain the ownership of the land bearing *Khasra No. 465/362/1*, as also the revenue record referred to in the Section 4 notification dated 04th May, 2012.

9. The joint survey carried out in relation to the property in question, along with the record to that effect, be produced for the perusal of this Court tomorrow.

10. List tomorrow i.e., 14th October 2025 at 02:30 PM.

11. Order be uploaded to the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

OCTOBER 13, 2025/sky/sk