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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 8968/2020

CHANDANDEEP BHANDARI

.....Petitioner

Through: Mr Mandeep Singh Vinaik and Ms
Anjali Sharma, Advocates.

versus

GOVERNMENT OF NCT OF DELHI & ORS Respondents

Through: Mr. Rishikesh Kumar, Advocate for
GNCTD.
Ms. Tajinder Viridi, Advocate for R-
2/SDMC.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **27.11.2020**

The hearing was conducted through video conferencing.

CM APPL.28960/2020 (Exemption)

1. Allowed subject to all just exceptions. The application stands disposed-off.

W.P.(C) 8968 & CM APPL.28959 /2020 (stay)

2. With reference to registered documents, regular payments of property tax, etc. the petitioner claims to be in settled position for the past four decades regarding the property in question. It is argued that the land is urbanised therefore the Sub-Divisional Magistrate ('SDM') has no jurisdiction over it.
3. The impugned order dated 17.09.2020 concludes that the petitioner, alongwith the similarly situated persons, have encroached upon the Gram Sabha land and their claims of *bhumidari* rights, by way of



adverse possession, have been rejected.

4. The learned counsel for GNCTD states, upon instructions, that the encroachment is not just upon the Gram Sabha land but indeed on public pathway as well, which need to be removed right away, in the larger public interest.
5. Issue notice.
6. Notice is accepted by the learned counsel named-above for the respondents. Counter affidavit/reply be filed within four weeks. Rejoinder, if any, be filed within two weeks thereafter.
7. List on 29.01.2021.
8. The order be uploaded on the website forthwith.

NAJMI WAZIRI, J

NOVEMBER 27, 2020/rd