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

+ **W.P.(C) 13052/2021 and CM APPL. 41167/2021**

KHALIFA CHAIN SUKH Petitioner
Through: Ms. Sonia A. Menon and
Mr. Madhur Bhatnagar,
Advocates (M. 9810865468, e-
mail;
soniaaroramenon@gmail.com)

versus

THE ESTATE OFFICER & ANR. Respondents
Through: Mr. Anish Dhingra, Adv.

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

% **ORDER**
21.02.2023

[Physical Hearing/ Hybrid Hearing]

1. Learned counsel for the petitioner submits that the petitioner had no connection with the land in question qua which the impugned order has been passed by the Estate Officer for imposition of damages. She submits that the petitioner herein was never in possession of the land in question, which was in possession of a society which was running an *Akhada* and it was the said society which had surrendered the land in question.
2. She submits that the objections in this regard were raised on behalf of the petitioner herein before the Estate Officer, which objections were never considered by the Estate Officer. Thus, she



submits that she would be satisfied if the matter is remanded back to the Estate Officer for consideration of the objections of the petitioner herein.

3. On the other hand, Mr. Anish Dhingra, learned counsel appearing on behalf of the DDA submits that the petitioner was also in possession of part of the land in question, which was an encroachment on the public land. Thus, he submits that the matter would have to be heard on merits.

4. In view thereof, list for consideration on 13.07.2023.

MINI PUSHKARNA, J

FEBRUARY 21, 2023

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