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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 10929/2019 & CM APPL. 12277/2024
PREM RAJ (DECEASED THROUGH LRS.)

..... Petitioner
Through: Mr. Ajay Kumar Chopra & Mr.
Prakash Kumar, Advs.
M: 9811996212

versus

DELHI DEVELOPMENT AUTHORITY AND ORS.

..... Respondents
Through: Ms. Manika Tripathy, SC for DDA.
Ms. Hetu Arora Sethi, ASC with Ms.
Kavit Nailwal, Adv. for GNCTD
M: 9873725564
Email: hetuarorasethiadv@gmail.com

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

% **ORDER**
28.02.2024

CM APPL. 12277/2024

1. The present application has been filed under Section 151 of Code of Civil Procedure, 1908 ("CPC") for removal of the structures erected at Khasra No. 393/(4-15), Village Nasirpur, Dwarka by respondent no.1 – Delhi Development Authority ("DDA").
2. It is submitted that the petitioner's application under Section 74(4) of the Delhi Land Reforms Act, 1954 is pending before the learned Sub-Divisional Magistrate ("SDM"), Sector 10, Dwarka for Bhoomidari rights.



3. Learned counsel appearing for the petitioner submits that during the pendency of the aforesaid application before the SDM, the respondent no.1-DDA has taken forceful and illegal possession of the aforesaid land, which was in possession of the petitioner since the year 1974. It is further submitted that the aforesaid land was allotted by the Gaon Sabha, Nasirpur to the grandfather of the petitioner in the year 1974.
4. It is also submitted that possession of the said land was confirmed by the Halqa Patwari vide detailed report dated 29th July, 2020. Thus, it is submitted that the possession taken over by the DDA is illegal and in violation of the provisions of the Delhi Land Reforms Act, 1954.
5. Issue notice. Notice is accepted by learned counsel appearing for the respondents.
6. Let reply be filed within a period of four weeks.
7. Rejoinder thereto, if any, be filed within two weeks thereafter.
8. It is made clear that any construction on the land in question shall be subject to the outcome of the present petition.
9. Re-notify on the date already fixed, i.e., 19th July, 2024.

MINI PUSHKARNA, J

FEBRUARY 28, 2024/kr