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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 10190/2024

SMT. SUDERSHAN BHATIA

.....Petitioner

Through: Mr. Sanjay Deewan, Sr. Adv. with
Mr. Siddhant Nath, Mr. Bhavishya
Makhija and Mr. Amaan Khan, Advs.

versus

DELHI DEVELOPMENT AUTHORITYRespondent

Through: Mr. Tushar Sannu, Ms. Aparna
Rajawat, Ms. Solanki Das and Mr.
Utkarsh Singh, Advs. for DDA.
Mr. Abhinav Singh, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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17.04.2025

CM APPL. 22426/2025 (by the petitioner under Section 5 of Limitation Act read with Section 151 CPC seeking condonation of delay of 66 days in filing rejoinder)

1. The present application has been filed on behalf of the petitioner seeking condonation of delay of 66 days in filing rejoinder.
2. For the reasons mentioned in the application, the delay is condoned and rejoinder is taken on record.
3. The application stands disposed of.

CM APPL. 22425/2025 (by the petitioner under Order I Rule 10 read with Section 151 CPC seeking impleadment of SDM)

4. The present application has been filed on behalf of the petitioner



seeking impleadment of the Sub-Divisional Magistrate (SDM), Delhi Cantonment, GNCTD as respondent in the present petition.

5. Issue notice to the non-applicants/respondents.

6. Mr. Tushar Sannu, the learned counsel appearing on behalf of the respondent no.1/DDA accepts notice. Likewise, Mr. Abhinav Singh, the learned counsel appearing on behalf of the proposed respondent no.2/GNCTD also accepts notice.

7. Having regard to the fact that the controversy involved in the present case with regard to the identification of land, which could be resolved only by way of demarcation, the concerned SDM, GNCTD appears to be a necessary party in the present matter.

8. Accordingly, the application is allowed and the concerned SDM, GNCTD is impleaded as respondent no.2 in the present petition. The amended memo of parties filed along with the application is taken on record.

9. The application stands disposed of.

CM APPL. 22456/2025 (by the petitioner under Section 151 CPC)

10. The present application has been filed on behalf of the petitioner seeking a direction to the concerned SDM to verify/confirm the demarcation report and site plan dated 17.03.2025 prepared by INTECH Engineers, which has been attached as Annexure-A to the present petition.

11. Mr. Sanjay Deewan, the learned Senior Counsel appearing on behalf of the petitioner submits that the petitioner is the owner of Plot No.C-7, Mansarovar Garden, New Delhi.

12. He submits that the respondent/DDA had carried out demolition of part construction that was standing on the said plot, presumably on the ground that the said land forms part of Khasra No.116, Village Naraina,



Delhi, that was acquired by the DDA under the Land Acquisition Act, 1894.

13. He contends that since entire controversy is with regard to identification of the property and further, as to whether Plot No.C-7, Mansarover Garden, New Delhi is comprised in the aforesaid khasra number, which was acquired by the DDA, therefore, the demarcation by the SDM is imperative.

14. He further contends that the petitioner/applicant on its part has already got the demarcation done from INTECH Engineers and their report is also attached as Annexure-A to the present petition.

15. In view of the above, issue notice.

16. Mr. Tushar Sannu, the learned Standing Counsel appearing on behalf of the respondent no.1/DDA accepts notice. Likewise, Mr. Abhinav Singh, the learned counsel appearing on behalf of the respondent no.2/GNCTD also accepts notice.

17. Mr. Abhinav Singh prays for time to seek instructions as regards the prayer made in the present application.

18. Let needful be done before the next date.

19. Re-notify on 06.05.2025.

VIKAS MAHAJAN, J

APRIL 17, 2025

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