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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 1255/2024**

N S VASISHT

.....Petitioner

Through: Mr. Vikas Arora, Ms. Radhika
Arora & Ms. Charu Tomar,
Adv.

versus

DISTRICT MAGISTRATE SOUTH SHRI MEKALA
CHAITANYA PRASAD, IAS & ORS.Respondents

Through: Ms. Hetu Arora Sethi, ASC for
GNCTD with Mr. Arjun Basra,
Adv.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **14.08.2024**

CM APPL. 46584/2024 – EXMP.

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

CONT.CAS(C) 1255/2024

3. The petitioner is seeking initiation of contempt proceedings against the respondent/Revenue Authority for wilful disobedience of the directions contained in the order dated 06.01.2006 passed by this Court in W.P.(C) 14343/2005.

4. Learned counsel for the respondent is present on advance notice.

5. This Court *vide* the aforesaid order passed the following directions:-

“4. Grievance of the petitioner is notwithstanding the issue of acquisition having attained finality in favour of the petitioner revenue authorities are not correcting the revenue records, in that, are not deleting the name of the Government as the owner of the land and in place there of substituting name of the petitioner and his other two co-petitioners in WP (C) No. 2256/1983



5. Writ petition stands allowed. Directions are issued to the respondents to re-mutate the name of the petitioner and the 2 co-petitioners of WP(C) No. 2256/1983 as Bhumidars of the land comprised in Khasra No. 2712/1660/8 (Old) 1129 min. (New), Village Mehrauli, Needful be done within six weeks.”

6. Learned counsel for the petitioner submits that despite taking up the matter with the respondents several times, the mutation of their names in the revenue records have not been effective.

7. Learned counsel for the respondents submits that since the area in question has been urbanized, the revenue authorities seized to have any say with regard to the property falling in the concerned area. The plea made by the learned counsel for the respondent is not legally palatable. Indeed, as pointed out, the area in question has since been urbanized in 1960s and the directions of this Court are very categorical.

8. The plea that in view of urbanization of the area in terms of Section 507 (a) of the Delhi Municipal Corporation Act, 1957 the petitioner seeking mutation from the MCD does not cut much ice since mutation from the MCD would be for the purposes of municipal taxes and other matters. Insofar as the revenue records are concerned that are still maintained and by virtue of Section 26 of the Delhi Land Revenue Act, 1954, the corrections of the mistakes or errors in the annual register are enjoined to be done by the Commissioner concerned on an application moved by any aggrieved person.

9. Let appropriate instructions be availed as why mutation has not been carried out despite the directions of this Court and as to why the concerned Divisional Commissioner/District Magistrate be not held guilty of committing contempt of this Court.



10. The concerned Divisional Commissioner/District Magistrate is directed to appear in person or through VC on the next date of hearing.

11. Re-notify on 20.09.2024.

DHARMESH SHARMA, J.

AUGUST 14, 2024/sa